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**The Internet never forgets: Student journalists meet the “Right to be Forgotten”**

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HNRS 490: Senior Capstone

Professor Betsy O’Donovan

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The Right to be Forgotten isn't applied in the United States by law, but the principles have still sparked interest since it became well-known in the 2014 case *Google Spain SL, Google Inc v Agencia Española de Protección de Datos, Mario Costeja González* (GDPR). González's complaint, filed in 2010, claimed that the presence of an article about his financial affairs published when he had gone into debt 10 years earlier was making it difficult for him to succeed having since gotten out of the aforementioned debt (Eur-Lex). The issue specifically concerned the information appearing in Google searches for González's name and was originally leveled against both the newspaper whose website featured the information and against Google Spain and Google Inc (Eur-Lex). In the final case, only the complaint against Google Spain and Google Inc. was maintained. While the final ruling did not require the newspaper to remove any articles or suggest that they should unpublish information, the Court of Justice of the European Union did assert that citizens of the European Union have the right to request commercial search firms, such as Google, remove links to personal information that is no longer relevant (EPIC). The ruling was more broadly incorporated into law in the European Union in the 2018 General Data Protection Regulation, an extensive set of privacy protections for citizens of the European Union that applies to any organization collecting personal data on EU citizens (GDPR). While the RTBF has no legal equivalent in the U.S. yet, journalists have been facing requests to unpublish their work for years, with research into newsroom policies on unpublishing conducted as early as Kathy English's 2009 survey of North American newsrooms.

Unpublishing articles poses major ethical questions for journalists, who often feel obligated to create and preserve an accurate historical record; unpublishing content would constitute tampering with the integrity of that record (CITE THIS). Journalists' actions are guided by both the Society of Professional Journalists' Code of Ethics as well as more specific

newsroom policies. The SPJ Code of Ethics has four main principles: to seek the truth and report it, minimize harm, act independently and be accountable and transparent (SPJ 2014). The Code of Ethics says that journalists should “gather, update and correct information throughout the life of a story” but doesn’t provide clear guidance for how journalists should respond to unpublishing requests (SPJ 2014). Rather, the Code of Ethics links to a 2010 Poynter article outlining alternatives to unpublishing articles—adding addendums, issuing corrections, writing a follow-up story or removing a source’s name—and addressing when publications may find it ethically necessary to unpublish articles (Tenore 2010). Tenore’s suggestions don’t provide a one-size-fits-all solution. Instead, the article offers a range of options for journalists to consider on a case-by-case basis.

Tenore’s article suggests that there is not a single answer when it comes to addressing unpublishing requests in the United States. Nor is there a concrete legal equivalent to the Right to be Forgotten that provides a right for information to be removed from search engines. In that case, how do journalists, particularly student journalists entering the field of journalism, address such requests?

## LITERATURE REVIEW

### **Privacy law**

Legal cases concerning privacy in the United States date back as early as 1803 in *Runkle v. Meyer*, 3 Yeates 518, when the Pennsylvania Supreme Court heard a case in which a printer published a clergyman’s personal information as well as suggesting he had had an affair with a parishioner (CITE). Though the case was treated as libel, Amy Gajda notes in “Privacy, Press,

and the Right to Be Forgotten in the United States” that the ruling was made not because the information was false or inaccurate, but because it was out of bounds for publication, leading to the case’s interpretation as an early privacy case (Gajda 2018). Gajda asserts that the right to be forgotten is not an unprecedented development in the United States media landscape, and that legal precedent has existed at least since Samuel Warren and Louis Brandeis published “The Right to Privacy” in 1890, arguing that people should have a legal right to privacy in terms of having information about their private lives published (2018).

In 1971, the courts again addressed privacy in *Briscoe v. Reader’s Digest* when Marvin Briscoe sued Reader’s Digest for publishing information about a carjacking Briscoe committed 11 years earlier and naming him for the crime (Gajda 2018). Briscoe’s claim was also based on the harm publication caused him, claiming that family members and friends who were unaware of Briscoe’s criminal behavior ended their relationships with him after reading the article. In the case of *Briscoe v. Reader’s Digest*, the court ruled in Briscoe’s favor (Gajda 2018). In this instance, Briscoe’s carjacking was deemed not newsworthy—and therefore the publication of such information not protected—because he committed the crime 11 years earlier and had essentially been rehabilitated in the years since. The court ruled that because Briscoe had not done anything else to attract public attention and make his crime newsworthy since, the publication of such information was not serving the public interest (Gajda 2018). However, rulings following the 1971 case have effectively contradicted the outcome of *Briscoe v. Reader’s Digest*, notably *Gates v. Discovery Communications* (2004), where the Supreme Court of California ruled in favor of a documentary which broadcast the details of a murder for hire that occurred 12 years prior (Gajda 2018).

Another case in 2010, *Purtz v. Srinivasan*, involved privacy and a request for article removal. Harvey Purtz ultimately filed a small claims lawsuit against Rajesh Srinivasan, then-editor-in-chief of UC Berkeley's student newspaper the Daily Californian, after Srinivasan declined to remove articles about Purtz's son (McNealy 2012). The Daily Californian had previously written articles about Chris Purtz, then on the school football team, after he had an altercation with staff at a strip club while drunk. Harvey Purtz requested the articles be removed a month after Chris Purtz died, but Srinivasan did not remove the articles, citing the Daily Californian's policies as the articles did not qualify for retraction (McNealy 2012). Purtz then sued the Srinivasan for emotional damages; the judge ruled in favor of Srinivasan, noting that although Purtz was dealing with the loss of his son, it "gave Purtz neither the standing nor the basis for a claim against Srinivasan" (McNealy 2012). In this instance, Purtz was claiming a right to have information removed from the public record because it was no longer of interest, which runs counter to the public's right to access information of public concern, such as information concerning crime like arrest and court records (McNealy 2012).

Gajda's review of privacy cases, however, asserts that the Supreme Court has "repeatedly emphasized the narrowness of its privacy-versus-press decisions" (2018). Each case ruling is applied in the specific context of that case, although some overarching trends may be noticeable when considering and synthesizing cases. In analyzing privacy case rulings, Gajda comes to two conclusions—that the Supreme Court has not explicitly declared that a Right to be Forgotten exists in the United States, and that should there be a Right to Privacy, it would need to be linked to a definition of newsworthiness which must have a legal standard that correlates with how journalists and their ethical codes define it (2018).

### **News values**

Journalists' responses to news events are guided by their journalistic "common sense," but these standards have changed and evolved over time, as outlined in Perry Parks' study on news values. For example, a fire in a dye factory that traps 20 might make the front page and lead to an all-hands-on-deck newsroom situation today, while it would have been given half a column in 1901 (Parks 2018). This response outlines the ways in which "common sense" has changed and is a reflection of the present culture. The judgments journalists make seem like a natural extension of the criteria being applied, but these judgments are constructed based on the present circumstances and understandings of the world—hence a fire trapping 20 would be much more notable in today's world of more stringent workplace safety regulations than it would have a century ago when standards differed significantly (Parks 2018). Constructed news values are introduced to journalists early via textbooks in introductory courses and become naturalized and viewed as common sense over time, according to Parks (2018). Though these news values are often named and understood in terms of deciding what is and is not newsworthy enough to be covered, news values and norms influence decisions in every facet of the newsroom.

News values are often used to describe what makes a story newsworthy, but journalists' understandings of these news values are notably used to shape their decision-making processes. In Colleen Cotter's "News Talk: Investigating the Language of Journalism," Cotter examines the significance of news values. News values aren't just conceptual; these values are practiced when journalists decide what news should be covered and how to cover it. Additionally, these values are applied, both explicitly and implicitly, throughout the entire news process from reporting to editing to publication (Cotter 2010). These values can also be viewed as routines that shape journalists' behavior and decision-making.

### **Interactivity with readers**

The advent of online journalism hasn't just made the news more accessible—it's also made it easier for readers and audience members to interact with journalists, as David Domingo notes. Even if articles don't have comment sections, journalists' email addresses are readily available and things that were previously mailed in, such as letters to the editor, are now streamlined via email or webforms (Domingo 2008). Domingo's analysis of four news websites with participatory elements found that interactivity occurred often via email and dedicated commenting forums on stories, although at the time of the study, only one website with an online-only portal included an area for user-generated content and attached user comments to stories (Domingo 2008). Notably, although the myth of interactivity has been prominent since the '90s, there was still a clear distinction drawn between journalists' work and public input; "The desire for recognition among professionals also made them reproduce most of the traditional routines: Journalists defended their professional values in selecting current events and deciding the hierarchy of what stories were the most important," Domingo writes (2008). Although interactivity is now more common and the public is given a platform by which to comment on and, in some cases, criticize journalists' work, journalistic norms and routines continue to shape their actual decisions and responses.

These journalistic norms aren't always clearly explained or outlined to readers, who may not understand how and why certain decisions are made, including but not limited to whether to report on an issue or whether to unpublish an article. Beth Bechky's research on organizational knowledge transfers notes that sharing information and knowledge with an outsider organization—in this case, specifically production floor misunderstandings between engineers, technicians and assemblers, though it could be applied to journalists and readers—is prone to misunderstandings because the information will be interpreted within another context (2003).



These differing contexts and the resulting misunderstandings can be resolved by creating common ground between both parties (Bechky 2003). Although having explicitly identified routines and standards can make organizational knowledge transfer easier within the organization, the language used to codify those routines may still only be accessible to those within the specific contexts—i.e. journalists discussing ethics and standards—and common ground should still be utilized to explain and clearly communicate those routines externally (Bechky 2003).

### **The right to be forgotten and unpublishing**

The right to be forgotten (RTBF) exists as a legal principle in the European Union, but it has been discussed in the United States. At its core, the RTBF deals with privacy, which is influenced by cultural factors. Saif Shahin's paper "Right to Be Forgotten: How National Identity, Political Orientation, and Capitalist Ideology Structured a Trans-Atlantic Debate on Information Access and Control" analyzes how media coverage of the RTBF differed in U.S. and British media, paying close attention to how cultural and political influences. While Shahin notes that both Americans and Europeans have similar views on privacy and want their data protected, divergence appears in the legal and media systems. Shahin's analysis of the selected articles from four different newspapers suggested that every publication's coverage pitted the U.S. and EU against each other in terms of privacy law. Both American publications analyzed, the Wall Street Journal and the New York Times, as well as the UK Financial Times, also represented the RTBF as an issue of censorship or as conflict between a right to privacy and a right to information (Shahin 2016). U.S. media representations of the RTBF reflect legal interpretations of privacy rather than social and cultural perspectives (Shahin 2016).

While Shahin examined media coverage of the RTBF, Kathy English of the Toronto Star surveyed North American newspapers to understand how journalists react to unpublishing requests in 2009, several years before the RTBF was passed into law in the EU. English's survey received responses from 110 newsrooms and reflected a variety of approaches to the issue, many of which view unpublishing requests as both a legal and journalistic/ethical issue (English 2009). Though 78.2% of respondents indicated that there are circumstances under which an article might be unpublished, a majority of responses showed "strong resistance to unpublishing news content," and there was no clear consensus on how to handle unpublishing requests (English 2009). These requests also reflect a broad variety of reasons for unpublishing, some of which are legally compelling, others boiling down to embarrassment or second-guessing involvement. Perhaps the most common and most difficult to navigate are requests for articles about criminal charges, which English said reflect the balance between the public's right to be informed and potential long-term harm to the individuals being charged (English 2009). Although there was no consensus for how journalists should handle these requests, English suggested "best practices," including outlining a clear policy around unpublishing and explaining that policy to readers; she also notes that journalists are responsible for ongoing accuracy of content and should be prepared to add information, conduct further reporting and clearly indicate any corrections or updates to stories after publication (English 2009). This reflects the already common practice of correcting articles, which was raised frequently in the survey responses.

In 2014, Nina Pantic also examined how editors approach and make decisions about unpublishing. Similarly to English's findings, Pantic's research, which involved interviewing newspaper editors about their practices, found no standard industry-wide policies or best practices for approaching unpublishing requests despite their frequency. Pantic found that editor

concerns involved journalistic standards around accuracy and transparency, as well as the ethical obligation to create and maintain an accurate public record (2014). Rather than unpublishing, Pantic suggests editors are more inclined to either issue corrections or follow-up reporting and articles (2014). Editors cited legal influences and factors as both motivation to unpublish or refuse to unpublish articles, but one of the most significant factors Pantic identified as a motivator to refuse unpublishing requests was the issue of maintaining the public record (2014). The interviewed editors “also argue that once something is online it never completely disappears,” so articles may still be accessible in some capacity even if a publication chooses to unpublish them (Pantic 2014). At the time of the study, Pantic wrote that publications typically lack a clear policy about unpublishing articles, and those that do have policies rarely post those policies online where they can be accessed by readers or sources (2014).

More recently, Hye Soo Nah and Stephanie Craft examined U.S. and South Korean journalists’ discourse around unpublishing practices in 2019. By analyzing discourse among journalists about best practices, Nah’s research provides further insight into how the RTBF and unpublishing issues are viewed in the U.S. media system. The overarching narrative this discourse created was predominantly negative; some journalists viewed unpublishing not only as removing information, but as pretending it didn’t exist or happen to begin with (Nah 2019). The discourse generally presented unpublishing as a last resort or an extreme measure, although there are some cases in which unpublishing may be appropriate, such as if there’s a compelling legal reason to remove an article (Nah 2019). In line with English and Pantic’s research, Nah concluded, based on the analyzed discourse, that journalists are likely to look for alternatives to unpublishing such as issuing a correction or a follow-up article first; the discourse also suggests

a need for clear, uniform policies around unpublishing, echoing English and Pantic’s findings (2019)

## POLICY REVIEW

In order to understand how professional newsrooms handle unpublishing requests, thereby shedding light on how broader journalism practices suggest responding to this issue, this research has also taken into consideration the public-facing policies from the 10 publications with the highest circulation based on information from the Press Gazette. This research is specifically analyzing policies that are publicly available via newspaper websites, though newsrooms may potentially have more detailed internal policies or not have public-facing policies at all. As per the Press Gazette, the highest circulating U.S. newspapers are:

1. The Wall Street Journal—The Wall Street Journal’s policies are not publicly available on its website. The “about us” page makes reference to maintaining high standards of ethics and integrity but does not include full policies. The Dow Jones Code of Conduct, which Wall Street Journal journalists also abide by, also does not make any reference to unpublishing but instead focuses on ethical issues such as conflicts of interest and outside work. Further ethical standards available through the News Leaders Association website elaborate more on outside work, conflicts of interest, interactions with sources and online activity but, as these policies are focused on ethics at the individual level rather than the newsroom level, these policies also make no mention of unpublishing or retracting published information.

2. USA Today—USA Today’s newsroom policies are not publicly available on the publication’s website, although the website does feature a document titled “USA TODAY NETWORK Principles of Ethical Conduct For Newsrooms.” The principles of ethical conduct provide insight into how journalists at the network interact with sources and audience members but does not give any indication of how unpublishing or retraction requests are handled, though it does make mention of correcting errors. The principles of ethical conduct say the following under section III, Exercising Fair Play: “We will explain to audiences our journalistic processes to promote transparency and engagement.” The policies or processes for addressing unpublishing requests are not clearly explained or accessible on the USA Today website, but the ethical principles suggest those standards would be explained to someone inquiring about an unpublishing.
3. The New York Times—The New York Times’ public policies, available on the paper’s website, make two references to corrections but no references to unpublishing or retraction requests. While the paper may have internal policies or guidelines for handling such requests, the public-facing policies only state the following: “The Times treats its readers as fairly and openly as possible. In print and online, we tell our readers the complete, unvarnished truth as best we can learn it. It is our policy to correct our errors, large and small, as soon as we become aware of them” and “If a reader asks for a correction, that request should be passed promptly to a supervisor. If the request threatens legal action or appears to be from a lawyer, the complaint should be promptly referred to the legal department through a department head.” This suggests any requests are taken into consideration within the newsroom but does not give readers indication of how

decisions are made or whether there are any overarching standards for handling such requests.

4. The Washington Post—The Washington Post’s public policies, available through the paper’s website, include a section dedication to takedown requests. The section reads as follows: “Because of the ease with which our published content can be searched and retrieved online, even years after publication, we are increasingly being asked to take down (or ‘unpublish’) articles from our website. As a matter of editorial policy, we do not grant take-down requests, which should be vetted at the highest level. If the subject claims that the story was inaccurate, we should be prepared to investigate and, if necessary, publish a correction. And there may be situations in which fairness demands an update or follow-up coverage — for example, if we reported that a person was charged with a crime but did not report that the charges were later dismissed for lack of evidence. In short, our response will be to consider whether further editorial action is warranted, but not to remove the article as though it had never been published. When we publish publicly available personal data, we only will review takedown requests if the person involved is under threat of physical harm because of the existence of the material.” This policy is clear about the editorial policy, which is that articles are not removed, although the policy also acknowledges possible exceptions—when information in an article endangers someone—and the potential for alternatives to unpublishing an article such as follow-up coverage. While this policy does not explain to readers why articles should not be unpublished in ethical terms, it does allow readers to get a glimpse into how the newsroom functions and what courses of action may be taken instead.

5. Los Angeles Times—The Los Angeles Times’ policies are publicly available on the paper’s website, last updated in 2014. The section on corrections and clarifications reads as follows: “When we make mistakes, we quickly and forthrightly correct the record. Readers and staff members who bring mistakes to our attention deserve our gratitude. A staff member who receives a complaint about the accuracy of our work should inform an editor. No staff member should decide on his or her own that a complaint does not warrant a correction. (Note: The Times’ corrections guidelines spell out in greater detail our procedures for handling complaints, corrections and retraction demands.)” While the Los Angeles Times does have guidelines for handling unpublishing or retraction requests, those policies are not public-facing.
6. New York Post—The New York Post does not have public-facing policies available on its website.
7. Tampa Bay Times—The Tampa Bay Times does not have public-facing policies on its website.
8. Chicago Tribune—The Chicago Tribune has public-facing policies available on its website, last updated in June 2019. These policies make no mention of unpublishing or retracting information, although like other publications includes a section acknowledging corrections.
9. Newsday—Newsday does not have public-facing policies available on its website.
10. Star Tribune—The Star Tribune has public-facing policies available on their website, but the policies do not mention how unpublishing or retraction requests are handled. While the policies have an extensive section on corrections, both digital and in print, and clarifications, the Star Tribune does encourage readers to contact the newsroom with

concerns; the section on accountability and public engagement states the following: “We seek to be transparent about our practices — that is the reason for making these standards public. Readers who e-mail or call editors and reporters at the Star Tribune often receive a personal response.” This suggests that whoever handles unpublishing requests may be transparent with requesters about the journalistic practices guiding their decisions, but the policies give no indication of how the Star Tribune generally handles unpublishing requests.

## RESEARCH QUESTIONS

In acknowledgement that college newspapers are an important training ground for the industry, this research examines attitudes and beliefs about privacy and the right to be forgotten among student journalists.

**RQ1:** How many student newspapers in Washington State have written policies to guide decisions about whether and when to remove accurate reporting from their digital archives?

**RQ2:** Under what conditions do student journalists believe it is ethical to remove accurate reporting from digital archives?

## METHODOLOGY

To analyze how student journalists respond to unpublishing and information removal requests, this research will utilize interviews with student editors at Washington’s public universities’ student newspapers—Western Washington University, Central Washington



University, Washington State University, Eastern Washington University, University of Washington and The Evergreen State College. Washington state public universities were selected so as to maintain a narrow subject. While many colleges have multiple student publications—WWU, for example, has a student newspaper (The Front), magazine (Klipsun) and environmental publication (The Planet)—student newspapers were specified because of the more consistent publication schedule typical of newspapers as opposed to magazines. Take for example WWU’s student publications; The Front was a weekly print publication prior to becoming a daily online publication, whereas Klipsun was a quarterly print publication with articles listed online at the end of the quarter as well. The more frequent posting schedule and higher volume of content at student newspapers made them the ideal subject.

Student newsrooms at the six public universities were contacted through the email addresses publicly listed on their newspaper websites. When contacting the newspapers, the outreach focused on speaking with whoever was most qualified to speak to the issue of unpublishing requests rather than speaking to a specific role in the newsroom (i.e. the editor-in-chief). Respondents also had varying levels of experience and qualifications as journalists. Each interviewed respondent was asked a standardized list of questions in a recorded Zoom interview, though some follow-up and clarifying questions were asked in each interview as well. The interview questions were:

1. What is your role in the newsroom?
2. How often does your publication receive requests for published information to be removed?
3. What kinds of information do sources ask to be removed? (Examples will help here.)
4. Why do sources want that information to be removed?

5. How long after articles are published are these requests made?
6. How do you typically respond to these requests?
7. How do you explain the decisions you make?
8. Does your publication have a written policy on removing information after publication?
9. What does the policy say?
10. Does your newsroom have training materials or written standards for explaining to sources how their answers will be used?
11. How do sources typically respond to your publications' answers to their requests?
12. How do you think these requests affect the relationship your publication has with the community?
13. How would you characterize the experience of responding to these requests?
14. Are there any circumstances under which you would unpublish an article?
15. If yes, under what circumstances would you unpublish an article?
16. What ethical principles are taken into consideration when making these decisions?

## RESULTS

Of the six student newsrooms contacted, four student journalists agreed to be interviewed. The four interviews, in order, were with:

1. Central Washington University's The Observer news editor Mitchell Roland
2. Washington State University's Daily Evergreen editor-in-chief Emma Ledbetter
3. Western Washington University's The Front editor-in-chief Ryan Morris
4. Evergreen State University's Cooper Point Journal editor-in-chief Alice McIntyre

Below is a summary of each student journalist's response to the interview questions with pertinent quotes.

1. What is your role in the newsroom?

Roland: News editor—previously editor-in-chief for two quarters.

Ledbetter: Editor-in-chief—in her third year editing at the Daily Evergreen.

Morris: Editor-in-chief—previously campus news editor and social media editor.

McIntyre: Editor-in-chief—previously creative director and webmaster.

2. How often does your publication receive requests for published information to be removed?

Roland: “A couple of times a quarter.” Not frequently, but more than once each quarter.

Ledbetter: Two or three times each semester, so roughly five to six times a year.

Morris: Roughly twice per quarter.

McIntyre: Very infrequently, possibly once per year. McIntyre has not personally handled an unpublishing request.

3. What kinds of information do sources ask to be removed? (Examples will help here.)

Roland: Sources often have concerns about quotes, either because they're taken out of context or are inaccurate/not what the source actually said. Because reporters are instructed to record all interviews as standard reporting practice, the editors or reporters can check transcripts to verify accuracy; in some cases, beginner reporters may have misinterpreted a quote though.

Ledbetter: Students are often concerned about articles about arrests or criminal records and may request that those articles be unpublished. Some former student journalists will also ask for article headlines to be changed because they now work in professional newsrooms—i.e. not wanting to be associated, as a professional journalist, with the Daily Evergreen’s annual sex edition of the paper.

Morris: The two cases Morris handled involved a request for someone’s name to be removed and one for either an update to or removal of a story. The full removal involved a company wanting an article that did not portray it favorably to be removed. “I would say that’s pretty typical when people are following up about a story in terms of wanting a story removed or changed, it’s often the person in power or the large company that’s mentioned... It’s typically the people who are being called out by other sources, and then once it’s published they want to comment all of a sudden. In that case, we can always offer them to write a guest piece if we don’t feel an update or removal is necessary.”

McIntyre: The Cooper Point Journal tends to work with activists and as such concerns involve identifying information and photography in particular. In one instance before McIntyre began working at the Cooper Point Journal, a student activist group requested that a photo posted online be re-uploaded with faces obscured.

#### 4. Why do sources want that information to be removed?

Roland: Sources often don’t go into detail about why they want information removed unless asked in a follow-up communication.

Ledbetter: The information shows up in a Google search and may impact them moving into professional spaces.

Morris: The name removal dealt with information that could have been updated but was not inaccurate. Essentially, the source no longer wanted to be affiliated with that article. The

McIntyre: Because these requests are affiliated with student activism on campus, they stem from concerns about doxing or potential backlash for their involvement in social justice movements.

5. How long after articles are published are these requests made?

Roland: Requests are typically made within a week or two of publication. In some cases, reporters or editors will also find out something was incorrect or a source had an issue with a previous article when reaching out to them for a future article; sources don't always actually voice their concerns or make requests when they are unsatisfied with an article.

Ledbetter: The Daily Evergreen's requests are limited by how far back their online archive goes, which Ledbetter estimates began in 2014 or 2015. Ledbetter has been affiliated with the Daily Evergreen for three years now and no requests involved articles she was not familiar with or that were written before her time at the paper.

Morris: "I would say it's when the articles are still active on social media but not within the first 24 hours typically."

McIntyre: The photo request McIntyre mentioned occurred a few days after it was posted, but the Cooper Point Journal receives these requests so infrequently that McIntyre did not have a general estimate.

6. How do you typically respond to these requests?

Roland: "I try to get as much information as possible to figure out what exactly—if it's a statement of fact that we got wrong, we immediately update the article, that's kind of the end of

it. If our reporter did something wrong, there's mis-quotations, something is taken out of the proper context, then we try to do a little more digging to figure out what the exact issue is, whether it's on our end, whether they weren't clear about something.”

Ledbetter: “If it was factually accurate at the time, it's there. We don't want to change the record if it was accurate at the time.” While Ledbetter did not elaborate on the process of responding to and interacting with sources making these requests, her general response is to keep articles online.

Morris: “I thank them for their time and for bringing this to me, then I typically ask them what the root of their concern is, because a lot of the time removing an article won't necessarily solve their problem, what will solve the problem is typically an update or an editor's note.” Morris responds to these requests by engaging with the source in a conversation about their concerns, then negotiating how to meet those needs without removing an article or information.

McIntyre: Hypothetically, these requests would be evaluated on a case-by-case basis and take into account why a source wants information or an article removed. They would be more likely to remove information if it was not crucial to the story. Any requests to remove articles dealing with crime reporting, which McIntyre said can be a matter of safety, would not be removed.

#### 7. How do you explain the decisions you make?

Roland: In one instance, Roland responded to concerns that an article went against The Observer's guidelines by reviewing the article and the paper's guidelines, then responding to the concern with an explanation for why the article was compatible with their policies. “I think being open about why you publish what you publish and being able to defend it in the first place is important.”

Ledbetter: “Usually we just say that it’s our newspaper’s policy.”

Morris: Overall decisions about a final course of action are negotiated with sources through conversation about their needs, but those negotiations are predicated on The Front’s policy not to remove content from its archive. This does involve discussing the newspaper’s policies with that source.

McIntyre: Hypothetically, explaining a decision about removal would involve explaining to a source why or why not information met their criteria for removal, especially in the context of the given story. McIntyre would also be more inclined to suggest something like a pseudonym or editor’s note rather than removal.

8. Does your publication have a written policy on removing information after publication?

Roland: The Observer does not have an overarching policy on how to handle these requests. Rather, these requests are handled on a case-by-case basis through discussions between the EIC, advisor, section editor and any other relevant newsroom parties. [Note: The Observer’s operations manual/policies from 2018 are available online and do not make any mention of unpublishing or removing articles.]

Ledbetter: The Daily Evergreen’s policy is agreed upon in the newsroom but Ledbetter was unsure whether their agreement to not unpublish articles is actually written policy. [Note: The Daily Evergreen does not have a full set of policies available online.]

Morris: The Front does have a written policy about removing information or articles after publication. [Note: Morris provided this answer, but the full policy text is also available online at The Front’s website.]

McIntyre: The Cooper Point Journal might have a policy about unpublishing, but McIntyre was uncertain about it. [Note: The Cooper Point Journal does not have public-facing policies online.]

9. What does the policy say?

Roland: N/A

Ledbetter: N/A

Morris: From the online copy of the policies: “Archived items are not removed.

The Front does not remove content from its website after publication except in cases of severe ethical violations, such as if the story is found to be fabricated. Rather, stories with factual errors or needed clarifications will be corrected with a notice at the top detailing when the story was updated with corrections.

This policy is in place to avoid setting a precedent in which anyone who does not like something that was published can simply ask to have it taken down. The Front does not change history. If editors thought it was newsworthy enough to run in the paper or online, its value remains.”

McIntyre: N/A

10. Does your newsroom have training materials or written standards for explaining to sources how their answers will be used?

Roland: The Observer’s newsroom does not have written standards for explaining to sources how their answers will be used.

Ledbetter: The Daily Evergreen does have standards for reporters on topics including “ethics, reporting, writing, professional development, we have some on credible sourcing.” Because a



majority of requests involve public records such as arrest reports, Ledbetter was unsure whether source quotes/information is as relevant.

Morris: Because The Front is also a class reporters are enrolled in, they are all given the same training concerning interacting with sources, interviewing, etc. The class counts as a consistent training across reporters and across quarters, but it isn't a policy.

McIntyre: The Cooper Point Journal does have shared documents with information about interviewing, newswriting and interacting with sources that are used for trainings. However, McIntyre noted that the trainings are also dependent on the publication's advisor, and the Cooper Point Journal has had several different advisors over the last few years.

11. How do sources typically respond to your publications' answers to their requests?

Roland: We are "as clear as possible while explaining our side of the story, explaining why we feel that article is important or why that information is important. We don't really hear anything after that. There's no further discussion."

Ledbetter: Sources are often somewhat disappointed that articles are not removed but ultimately understand the rationale and accept the outcome.

Morris: Sources seem to be willing to come to an agreement about an alternate course of action and understand policies when explained.

McIntyre: N/A

12. How do you think these requests affect the relationship your publication has with the community?

Roland: Responding to these requests and interacting with community members helps deepen the community's understanding of journalistic processes and can help clarify misunderstandings about that work.

Ledbetter: Responding to these requests has the potential to build trust with the community by establishing that the Daily Evergreen will maintain its integrity and keep factual reporting accessible even if they face pressure to remove it.

Morris: "I think these requests strengthen our relationship even though they go against our policies. I really appreciate when people bring concerns about our reporting to us because it only makes us stronger, and honestly it shows that people are reading what we do."

McIntyre: The Cooper Point Journal's willingness to work with groups like protestors and activists when it comes to protecting identities—even if most of that work is done prior to publication and thus not linked to unpublishing requests—strengthens community relations.

### 13. How would you characterize the experience of responding to these requests?

Roland: "Surprising." These requests are often unexpected for first-time student editors and can be difficult to process when you feel confident about your work as a journalist.

Ledbetter: [This question was omitted]

Morris: These requests are a learning experience for student editors, both in terms of growing as a journalist and a leader, and for understanding how the publication can clarify policies to better serve readers.

McIntyre: N/A

### 14. Are there any circumstances under which you would unpublish an article?

Roland: Yes.

Ledbetter: Maybe.

Morris: Yes.

McIntyre: Yes.

15. If yes, under what circumstances would you unpublish an article?

Roland: If an article impacts someone's safety, that would merit unpublishing. The Observer also has unpublished information while Roland was editing for the publication, but it was an exception; someone affiliated with the military who essentially needed to "disappear" made the request. "It was a special case, and what we ended up doing was, since he wasn't integral to the story and wasn't essential, we just took out all of those mentions of him."

Ledbetter: "I would say if it's not factually accurate, if there's some form of dishonesty or fabrication, then we would take it down. I think those would probably be my only ones." In some cases, the Daily Evergreen may remove articles that are inaccurate, then post a corrected version with an editor's note.

Morris: The Front would remove articles if there was a severe ethical violation involved such as fabrication or otherwise harming a source involved.

McIntyre: If an article conflicted with the Cooper Point Journal's editorial standards, such as having "bigoted or harmful content," or if it was in any way libelous, it would be removed. "Usually we would skew toward disclaimers and corrections rather than deletions, especially when it comes to something like fact-checking or evolution of opinion over time."

16. What ethical principles are taken into consideration when making these decisions?

Roland: Seek the truth and report it—first and foremost Roland considers whether information is factual. He also seeks to minimize harm and considers whether an article might endanger someone.

Ledbetter: Seek the truth and report it—Ledbetter both wants to provide factual reporting as well as providing transparency if any updates or corrections need to be made.

Morris: “I think the first thing that popped into my head was just, we have to be transparent about it. If I were ever going to, there needs to be something published that says that article was removed and why.” Minimizing harm is also a consideration.

McIntyre: The balance between a person’s right to privacy and the public’s right to information is key. Another consideration is whether removing information is destructive to the overall story an article tells.

## DISCUSSION

Several consistencies between student editors emerged from these interviews. All four student editors interviewed had edited for their respective student publication multiple times, ranging from three quarters to three years. Student editors who have spent multiple terms at the publication are likely more attuned with publication standards and protocol than those who are editing for the first time, so the editors interviewed had a stronger grasp of how their individual newsroom functioned and the policies in place as well as serving to maintain consistent practices at the publication despite frequent staffing changes. Each publication had either quarterly, semesterly or annual staff turnover, leading to a lack of long-term consistency in newsroom leadership. Consistency across newsroom advisors and having established policies may

contribute to maintaining the publication's integrity; for example, a publication such as the Cooper Point Journal, which McIntyre described as having consensus-based editorial decisions rather than decisions based on written policy, leaves room for different operations each quarter. However, the publication does still have written policies that are referenced when called for, such as when a staff member does not meet the job requirements or otherwise acts unethically (an example McIntyre provided). Only two of the publications, The Observer and The Front, also had their policies available and accessible to readers online as well.

Although all four student editors interviewed acknowledged that alternatives to unpublishing such as updates, editor's notes or guest columns are preferable to removing an article, all interviewees did acknowledge that there are circumstances that could justify unpublishing. The most-cited considerations when removing an article were to seek the truth and report it, minimizing harm—both to the sources involved and the audience—and maintaining transparency. Another reoccurring component was whether the reporting in question is factual. Removing factual reporting appears to be a more nuanced decision than removing reporting that is either incorrect or fabricated, the latter of which is also an ethical violation. Removing incorrect information or replacing it with correct information is closer to standard practice; among the professional newsroom policies analyzed, even if publications did not have full policies available online, there was often a page dedicated to acknowledging corrections alongside information for how to submit a correction. Also of note is that, while interviewed student editors acknowledged instances in which they would potentially unpublish articles, only The Observer had actually unpublished information, though Roland framed it as an unusual case. This speaks to the high threshold involved in removing factual information.

## CONCLUSION

Unpublishing requests are an advent of modern journalism that impact journalists at all levels, including student publications, as evidenced by the accounts of the student editors interviewed in this research. Although unpublishing requests are not new and have been a topic of journalism research and interest since the mid-2000s, notably in English's survey of newsrooms, there is no single answer at this time for how to handle an unpublishing request. Although there are guides in some places—such as the policies in place at The Front or The Washington Post, which outline the standard practice of keeping articles online but considering requests and seeking alternatives—these guides are publication-specific and do not appear to be widespread among publications.

Though this research provides a glimpse into student newsrooms at Washington state's public universities, it is a narrow understanding of how student journalists view unpublishing as a whole and cannot be the basis for generalizations. This must be replicated with a wider pool of student journalism sites to understand how student publications generally handle unpublishing. Further research with a broader sample size also will be required to understand how student journalists more broadly understand these issues. It also must be acknowledged that this research only examined the attitudes of student editors at publications, not student journalists as a whole. These interviews are useful in understanding how specific publications respond to these requests at the policy level rather than understanding the broader attitudes held concerning unpublishing. Additionally, research in this study revealed a lack of data concerning how audiences understand unpublishing requests and what their experiences are. While understanding how to respond to these requests within the newsroom requires further clarity, so too does

understanding why people make unpublishing requests and what circumstances contribute to these requests.

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