

JOINT RESOLUTION ON THE PROTECTION OF STUDENT JOURNALISM

ASSU-F2024-xx

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ACTION REQUESTED: 2/3 of the Undergraduate Senate; Majority Vote of the Graduate Student Council

STATUS: 14 October 2024, **15-0-0 Passed** (GSC); 9 October 2024, **13-0-0 Passed** (UGS)

BACKGROUND

WHEREAS, following the events of June 5, 2024, it has come to our attention that a Stanford Daily student reporter—Dilan Gohill—was arrested and charged while performing official duties;

WHEREAS, Gohill is a Vol. 265 student activism beat reporter and a news staff writer at the Stanford Daily²;

WHEREAS, founded on the principles of democracy and free speech, Stanford must not endorse the penalization student journalists of the Stanford Daily who are documenting and reporting on crucial events;

WHEREAS, prosecuting Gohill sets a dangerous precedent that undermines the safety and efficacy of journalism and the freedom of the press, which is vital for maintaining our community's awareness and engagement;

WHEREAS, the letter³ from a coalition of press freedom and First Amendment organizations to Santa Clara County District Attorney Jeff Rosen highlights that Gohill was jailed for 15 hours

¹ This sponsorship does not represent the position of The Stanford Daily as a whole and is solely in a personal capacity.

² Gohill, Dilan. *The Stanford Daily*, <https://stanforddaily.com/author/dgohill/>. Accessed 14 Sept. 2024.

³ “Coalition Calls on DA to Decline Charges Against Stanford Student Journalist.” *First Amendment Coalition*, 21/June/2024, <https://firstamendmentcoalition.org/2024/06/coalition-calls-on-da-to-decline-charges-against-stanford-student-journalist/?ref=thedissenter.org>. Accessed 14 Sept. 2024.

and faces potential felony charges of burglary, vandalism, and conspiracy⁴;

WHEREAS, publicly available photos demonstrate that Dilan lacked any intent to commit any crime as he was present in his capacity as a reporter wearing Stanford Daily attire and displaying his media credentials while protesters wore all black and covered their faces with sunglasses and balaclavas⁵;

ACKNOWLEDGEMENT OF THE EVENT IN QUESTION

WHEREAS, in the course of his reporting, Gohill may have violated laws by entering a restricted area while attempting to cover the protest inside the president's office under the guidance of his superiors at the Stanford Daily;

WHEREAS, as a novice student reporter, Gohill was acting in good faith, committed to the craft of journalism, and may have been unaware of the legal boundaries of his reporting;

WHEREAS, the First Amendment to the United States Constitution protects the freedom of the press, a fundamental right that must be balanced with ethical journalistic conduct, and Gohill's actions were not malicious but reflect a genuine intention to inform the public;

WHEREAS, this case represents a unique circumstance where an eager and committed student journalist may have crossed legal lines without any criminal intent in pursuit of a vital journalistic duty to bear witness;

WHEREAS, we urge the District Attorney to recognize Gohill's intentions and his commitment to learning proper journalistic conduct, rather than penalizing him harshly for a mistake made in his pursuit of journalistic integrity;

WHEREAS, the unprecedented level of protests during this period, the likes of which had not been seen at Stanford since the Vietnam era, may have caught the Stanford Daily unprepared to train its student reporters adequately for such a crisis. Nonetheless, Gohill was under the guidance of his Stanford Daily superiors at that time;

WHEREAS, journalism serves a critical function in a democratic society, and in this case, Gohill's lack of malice and his status as a student reporter should prompt the legal system to show leniency and support his growth as a journalist;

⁴ "Coalition Calls on DA to Decline Charges Against Stanford Student Journalist." *First Amendment Coalition*, 21/June/2024, <https://firstamendmentcoalition.org/2024/06/coalition-calls-on-da-to-decline-charges-against-stanford-student-journalist/?ref=thedissenter.org>. Accessed 14 Sept. 2024.

⁵ *Gohill Press Release. Courthouse News Service*, 15 June 2024, <https://www.courthousenews.com/wp-content/uploads/2024/06/Gohill-Release.pdf>. Accessed 14 Sept. 2024.

GOHILL'S CHARACTER

WHEREAS Gohill is a student of good moral character with no past record of any wrongdoing;

WHEREAS Gohill was a recipient of the Harry Press Stanford Daily Award,⁶ nominated by academic departments, centers, and organizations within Stanford;

WHEREAS multiple organizations—including the First Amendment Coalition, the Student Press Law Center, and 24 other organizations dedicated to free speech and freedom of the press—signed a letter⁷ calling for Gohill's charges to be dropped, emphasizing that there is no evidence Gohill was conspiring with protestors or present for any reason other than to report the news;

WHEREAS, Gohill's contributions to Stanford's journalism community have been significant, and his dedication to ethical reporting has strengthened the integrity of our campus media;

STANFORD SHOULD ASK DISTRICT ATTORNEY TO DECLINE CHARGES

WHEREAS, since the time of the arrest, the University has been engaged in a thorough review of the evidence, weighing the unique circumstances and Gohill's role in the incident⁸;

WHEREAS, despite initial concerns about violations of law and University policies, a closer examination of the evidence establishes that Gohill's actions were primarily motivated by his role as a student journalist, not criminal intent⁹;

WHEREAS, while Stanford initially supported criminal prosecution and Gohill's referral to the Office of Community Standards (OCS), the evidence does not indicate that Gohill poses a continuing threat to the campus community¹⁰;

WHEREAS, the University has lifted Gohill's interim suspension and campus ban after determining that he does not present an immediate threat to the health and safety of campus, as

⁶Undergraduate Departmental Award Recipients 2023-2024. Stanford University, <https://undergrad.stanford.edu/about-vpue/awards-and-graduation-honors/undergraduate-departmental-award-recipients-2023-2024#comm>. Accessed 14 Sept. 2024.

⁷ "Coalition Calls on DA to Decline Charges Against Stanford Student Journalist." *First Amendment Coalition*, 21/June/2024, <https://firstamendmentcoalition.org/2024/06/coalition-calls-on-da-to-decline-charges-against-stanford-student-journalist/?ref=thedissenter.org>. Accessed 14 Sept. 2024.

⁸ Stanford News. "University Statement on Stanford Daily Student's Arrest on June 5." *Stanford News*, 10 June 2024, <https://news.stanford.edu/stories/2024/06/university-statement-on-stanford-daily-students-arrested-on-june-5>.

⁹ Stanford News. "University Statement on Stanford Daily Student's Arrest on June 5." *Stanford News*, 10 June 2024, <https://news.stanford.edu/stories/2024/06/university-statement-on-stanford-daily-students-arrested-on-june-5>.

¹⁰ Stanford News. "University Statement on Stanford Daily Student's Arrest on June 5." *Stanford News*, 10 June 2024, <https://news.stanford.edu/stories/2024/06/university-statement-on-stanford-daily-students-arrested-on-june-5>.

per a June 10 update from the Stanford Report¹¹. This decision indicates that any ongoing punitive measures, including legal prosecution, may not be proportionate to the nature of his involvement;

WHEREAS, the Stanford Report¹² maintains that Gohill, along with the other protesters, did not have the right to be in the president's office, even under the First Amendment, yet the nuances surrounding journalistic rights and responsibilities remain significant;

WHEREAS, California Penal Code 409.7 protects journalists' right to cover protests, but this statute does not apply to Gohill's situation as it pertains to police lines or rolling closures, not private buildings, and does not protect trespassing¹³; though, Gohill at this time has not been charged with trespassing;

WHEREAS, Gohill's actions as a novice student journalist should be evaluated in the context of miscommunication and a lack of clear guidance from his leadership at the Stanford Daily. He appears to have been misinformed by senior editors, contributing to his involvement in the situation without full awareness of the legal and ethical boundaries;

WHEREAS, the University's review expresses concerns about the lack of clear guidance for junior reporters at the Stanford Daily. This case stresses the need for better training within the Daily to ensure student journalists understand their rights and responsibilities and to prevent future incidents;

WHEREAS, professional journalists, such as Bill Grueskin, dean of academic affairs at Columbia Graduate School of Journalism, have expressed concerns over prosecuting journalists doing their job, with Grueskin emphasizing that any prosecution increases risks for journalists across the country and globally¹⁴;

WHEREAS, Grueskin further argues that protecting journalists' rights is vital to maintaining a democratic society, particularly when they are acting in their capacity as reporters during newsworthy events¹⁵;

¹¹ Stanford News. "University Statement on Stanford Daily Student's Arrest on June 5." *Stanford News*, 10 June 2024, <https://news.stanford.edu/stories/2024/06/university-statement-on-stanford-daily-students-arrested-on-june-5>.

¹² Stanford News. "University Statement on Stanford Daily Student's Arrest on June 5." *Stanford News*, 10 June 2024, <https://news.stanford.edu/stories/2024/06/university-statement-on-stanford-daily-students-arrested-on-june-5>.

¹³ Gohill, Dilan. "Protesters, Daily Reporter Charged with Three Felonies." *The Stanford Daily*, 9 July 2024, <https://stanforddaily.com/2024/07/09/protesters-daily-reporter-charged-three-felonies/>.

¹⁴ Gohill, Dilan. "Protesters, Daily Reporter Charged with Three Felonies." *The Stanford Daily*, 9 July 2024, <https://stanforddaily.com/2024/07/09/protesters-daily-reporter-charged-three-felonies/>.

¹⁵ Gohill, Dilan. "Protesters, Daily Reporter Charged with Three Felonies." *The Stanford Daily*, 9 July 2024, <https://stanforddaily.com/2024/07/09/protesters-daily-reporter-charged-three-felonies/>.

CAMPUS IMPLICATIONS AND TRAINING IMPROVEMENTS

WHEREAS, this incident has implications for the future of journalism practices on campus, with student reporters now facing an environment where fear of legal retaliation may hinder their ability to report on crucial events;

WHEREAS, this unprecedented level of protest and civic unrest, particularly in the lead-up to the upcoming election, stresses the need for the Stanford Daily to adapt to the current political climate. While not attributing full responsibility to the Stanford Daily, this situation highlights the importance of enhancing journalistic training, providing better guidance on legal boundaries, ethical conduct, and navigating complex reporting environments in response to the evolving landscape of campus and national activism;

WHEREAS, Stanford has an opportunity to demonstrate leadership among peer institutions by recognizing the unique context of this situation and supporting this resolution as a commitment to improving journalistic training, thereby reinforcing the university's dedication to free expression;

CLOSING

WHEREAS Gohill published two news stories reporting on the activities of protestors inside the president's office^{16, 17};

WHEREAS, despite repeatedly informing police of his press status and even having protestors affirm that he was not part of their group, Gohill was arrested¹⁸;

WHEREAS, Gohill, a young journalist committed to learning the craft, should not be punished for practicing the essential and democratic role of the press;

WHEREAS, as a university within a nation that upholds freedom of the press, Stanford must live by this value. In the global spotlight, the last thing Stanford should be known for is suppressing free expression or punishing student journalism;

WHEREAS we urge the university and the legal authorities to act in alignment with the principles of press freedom and dismiss all charges against Gohill;

¹⁶ Reieh, Gohill. "Pro-Palestine Protesters Occupy President's Office." *The Stanford Daily*, 5 June 2024, <https://stanforddaily.com/2024/06/05/pro-palestine-protesters-occupy-presidents-office/>. Accessed 14 Sept. 2024.

¹⁷ Gohill, Nayudu, and Talley. "Live Updates: Police Break Window After Pro-Palestine Protesters Take Over President's Office." *The Stanford Daily*, 5 June 2024, <https://stanforddaily.com/2024/06/05/live-updates-police-break-window-after-pro-palestine-protesters-take-over-presidents-office/>. Accessed 14 Sept. 2024.

¹⁸ *Gohill Press Release*. *Courthouse News Service*, 15 June 2024, <https://www.courthousenews.com/wp-content/uploads/2024/06/Gohill-Release.pdf>. Accessed 14 Sept. 2024.

THEREFORE, BE IT RESOLVED BY THE ASSU LEGISLATIVE BODIES:

THAT the University formally urges Santa Clara County District Attorney Jeff Rosen to decline all legal charges against Stanford Daily student reporter Dilan Gohill, recognizing his status as a student journalist acting in good faith under the guidance of the Vol. 265 executive board, and acknowledging that Gohill was operating to the best of his novice judgment¹⁹;

THAT the University reconsiders Gohill's referral to the OCS for review, acknowledging that Gohill's actions stemmed from his dedication to reporting, not from a desire to engage in unlawful activity;

THAT the University supports the dismissal of all charges by the Stanford Office of Community Standards (OCS), recognizing the unique circumstances of this case;

THAT the University returns Gohill's personal property;

THAT the Undergraduate Senate supports the work of the Stanford Daily to revise and communicate improvements to journalistic training on campus to better prepare student journalists for navigating legal and ethical challenges, ensuring future journalist incidents are avoided.

¹⁹ Gohill, Dilan. *The Stanford Daily*, <https://stanforddaily.com/author/dgohill/>. Accessed 14 Sept. 2024.