

AMI Forum: Safety + Press Freedom in AAPI News Media Notes

- Intro
 - Focus on safety and press freedom in AAPI community media.
 - Community media= how a community defines themselves
 - Content warning: repression, safety, violence.
 - Lived experiences of repression and harassment
 - Asian Media Initiative launched in 2022, published 1st national map and directory of AAPI community media We published the first national map and directory of more than 670 news media outlets serving AAPI in 54 languages,
<https://amimap.journalism.cuny.edu/>,
<https://www.journalism.cuny.edu/centers/center-community-media/asian-media-initiative/>
 - AAPI New Media Report:
<https://drive.google.com/file/d/1UaX5WkYObadeWos2NcJ3HGjyMCClR0za/view?usp=sharing>
 - We will publish a reporting guide this week on the threats and realities of the sector in Palestinian and Arab American media, Chinese language media, and South Asian media: AMI Elections Project website ,
<https://www.journalism.cuny.edu/centers/center-community-media/asian-media-initiative/ami-elections-project/>
 - Event Page:
<https://www.journalism.cuny.edu/events/asian-media-initiative-forum-safety-and-press-freedom-in-aapi-media/>
- Madi Whitman
 - Scholar of data surveillance and landscape of surveillance on college campuses in the U.S.
 - Focus on “CREEP” aka function creep. When something developed for one specific thing gets used for another thing. Happens often with tech. Interested in this in context of covid and surveillance. How universities developed pandemic technologies now used in intensive surveillance regimes. Tech positioned to be adapted into something else. Also applies to other surveillance technologies.
 - Ex: collection of browser activity used to influence elections
 - Whatsapp owned by meta. What the data may be used for beyond original purpose

- Traffic tech and city infrastructure adapted for other things. Ex: Link-NYC infrastructure, provides telecommunications services while also being privacy problem, can ID a particular person at a particular place and time
 - Traffic technologies: NYPD cameras across nyc surveillance cameras could be shared with other entities; shotspotter to automate gunshot detection but also records other things; numerous surveillance/traffic cameras, can be used to id people in other contexts
- Scale
 - Lot of tech used for facial recognition developed in and outside of U.S. ; regulatory standards lag behind the pace of tech innovation.
 - Legal boundaries between various states doesn't mean people, ideas, and tech doesn't travel. Something used in one place can be used in other places.
 - Platform companies aren't bound to a single state
 - Newer form of recognition: gait recognition, meant to be more accurate than face recognition: recognizing the way people walk. Unclear to what extent this is used.
- Refusal
 - For primary forms of facial recognition, activist groups facing state repression discuss if face masks can avoid facial recognition. Face masks = less effective than sunglasses in masking face identity in terms of human recognition. Eyes are the better way of recognizing faces than mouths
 - Artistic-based approaches to anti-recognition face paint.
 - Recognition tech develops so fast, hard to keep track of accuracy.
- NYC
 - Wide amount of cameras. 2021 Amnesty heat map of cameras, cover the city.
- San Francisco
 - Legal developments in 2019- SF banned facial recognition technology. A legal ban doesn't preclude the use of it.
 - Controversial board of supervisors 2022 decision enabling SFPD to leverage private cameras (ex: ring doorbells) to continue to surveil with facial recognition
- Refusal
 - Community-based approach
 - Roll out of facial tech is not inevitable

- 2 weeks ago, Detroit banned the use of facial recognition as the primary source of evidence. Major.
 - “Our bodies, Our data, Our city” pushing back in Harlem against mass surveillance in NYC
 - Nothing is inevitable, it could always be otherwise. Open invitation to think about what pushing back can look like
- Community-based media, wear multiple hats at same time: community journalist- community activist- community resource/provider
 - Creep where these tech, strategies, techniques, approaches not just focused on one way of controlling things. Often functioning in transnational contexts, across borders.
- Kiran Nazish,
 - <https://www.womeninjournalism.org>
 - Report A Case:
 - <https://docs.google.com/forms/d/e/1FAIpQLSd36vIe3v0UK6bt2SjrQ64Z7srgQHfAsyVrveTcooWbeJPSw/viewform>
 - What we mean in the journalism advocacy space by transnational repression and how it affects immigrant and exile AAPI journalists and Asian journalists overseas.
 - We’ve known about surveillance tech for a while. One thing we don’t know is the demographics of how that is directly impacting freedom of speech.
 - What states have we had, like the Detroit ex, of places in the u.s. Where legislative action and policy has curbed this harmful activity.
 - Transnational repression
 - Repression of journalist or any freedom of speech by foreign govt in another country
 - When any foreign govt targets freedom of speech in the U.S., or anywhere in the world.
 - Censorship, stifling, surveillance to suppress the media and freedom of expression
 - Started working in 2020, saw a lot of journalists in their network starting to get serious attacks by foreign governments mostly in the U.S., UK, Canada, Europe because a lot of diasporic communities are in Western countries. When repression, dictators, polarizing environments rise around the world, there comes a need to repress internally and transnationally.
 - Emphasis on New York

- 3 major categories of transnational repression: hierarchical categories. Majority of population of journalists they monitor in their system and reflects the larger ecosystem
 - Immigrant and diasporic journalists/communities who've been in the U.S. for a long time and recently. South Asian, Latin American, African, Eastern European, Russian, Chinese. Get targeted.
 - Lots of alternative media. CCM very well-connected
 - Local language media in Filipino, Chinese, South Asian, India, Pakistan, Nepal, Bangladesh
 - South Asian media active in publishing for local audiences, also most vulnerable
 - One type of transnational repression in this category: when journalists get targeted by their communities, it is hard to protect them because they can't rely on law enforcement, and the media outlet doesn't have a huge resource access. Misinformation and smear campaigns
 - Few journalists in the diasporic community under attack by the Iranian regime, by Modi, active mobilization of attacks and smear campaigns of Indian journalists reporting on Modi and farmers protests. When they get targeted, no one wants to get involved, including law enforcement, because they're hyper-local
 - New refugees/exiled journalists who've moved because of wars: afghan, iranian, ukrainian, russian, latin american (often neglected from this conversation bc lack of political connections)
 - Most media are freelancers. Some in exile start their own small media companies
 - Evacuated Zan Times in Iran, only women-run publication, helped establish that in the U.S. now Zan Times can continue running in the U.S. but still need info from on the ground in Afghanistan. When they get threats, there are no resources for them in the U.S. or on the ground. Transnational repression happening beyond the host country: Iran, Mexico, Pakistan, India. Repression in the home country, and where they move. Families targeted in the country of origin Zan Times: <https://zantimes.com/>
 - High-profile exiled journalists, prominent journalists in their countries, Erdogan had list of 100 journalists he targeted and we assisted them in the U.S., Canada,

Europe. Were exiled or foreign journalists who reported on big stories in Russia, China, Iran and come back to U.S. and are targeted for their efforts with repression

- Have access to grants and resources
- Assisted journalists get surveillance cameras outside their homes, get cooperation from NYPD and FBI to investigate targeting of high-profile journalists
- More access to resources, financial support
- Iran, Saudi Arabia, Russia, China, Taiwan, Afghanistan, India, Pakistan, Nigeria, Venezuela: countries with most transnational repression
 - Don't see journalists coming into forums to talk about the threats they face because it's too dangerous to share in the absence of resources, so can't fully understand the issue
- Methodologies: dictators like Modi activate diasporic communities w online and in-person misinformation campaigns. Major offenders of press freedom abroad also carry out 1-1 attacks, this has been on the rise and that's why we're starting to see law enforcement take transnational repression more seriously. 1-1 attacks include journalists being approached by agents of foreign governments, followed, photographed, approached. Concerning violations.
- CWIJ: <https://www.womeninjournalism.org/> ; resources for safety and 1-1 mentorship.
- Often community events can turn into sites of protest.
- Gabe Rottman
 - <https://www.rcfp.org/>
 - Journalists protections in covering elections and protests
 - Rights and freedoms available to community journalists, how this landscape is changing, how community media can respond when a community event turns into a site of protest
 - Top-line takeaways from a legal perspective of reporters' rights during protest activity.
 - Interactions between journalists and law enforcement
 - Safety advice also applicable for protests that you can't plan in advance what can happen
 - Legal principles: no special exemption for the press in regards to protest, First Amendment rights. May be state-local laws, but under 1st amendment no exemption for the press. Press may not have special right of access to be at a location, but if the public can be there so can press. Relevant when protest is on

private property. Trespass laws- generally, entering private property without consent, sometimes there is consent given for journalists by private property owners or police, but be aware of your surroundings because protest could move onto private property. No special rights to trespass for journalists.

- Journalists can be sued for damages, criminally prosecuted for trespasses.
 - Sizable number of incidents going back to 2020 and protests this year w trespass incidents. Several times, charges dropped. Many cases, no damages from a journalist who trespasses for newsgathering, but something to be aware of. No 1st Amendment right to engage in trespass. Be aware of your surroundings at all times. Pay attention to how law enforcement reacts to protest moving onto private property
 - Often, journalists in touch w law enforcement on the ground introduce themselves to police and make sure they know where they are and what they're doing
 - One right that applies to both groups: right to record police or other activity in public spaces. Legally, the way this comes up is in cases where journalists are arrested or subjected to police brutality and sue for violations of constitutional rights. Many years, no clarity on if there was a right to record police activity in public. Now courts have grappled with this question on a federal level- several courts of appeal recognize the right to record police activity in public. Several states have written it into law. That right is clearly established. Government actors should know that people have the right to record police activity in public. That right has restrictions, ex: if law enforcement closes a particular area and demands everyone leave, journalist can be on a public sidewalk and record, but can be restrictions on the right to newsgathering
 - Journalists can be arrested by not following police orders. Be aware of surroundings, stay at a distance, comply with police orders. Police aren't allowed to target journalists for news gathering
- At a protest:
 - Plan in advance
 - Bring ID, bring credit card or cash
 - Wear press ID as prominently as possible
 - Safety concerns about protesters in terms of wearing a press credential prominently. If that concern applies, make sure it's easily accessible in case

you're detained, say "I'm press" and produce a credential. If you need a credential, get in touch with Gabe.

- Record from safe distance
- Follow police orders
- If interacting with police, id yourself as press.
- Be aware of surroundings
- Navigating police encounters:
 - Consensual: officer approaches, questions you, you do not have to answer. If you are uncomfortable doing so, it's your right to. Ask if you're free to leave, officer is required to tell you, you have the right to leave consensual encounter
 - Detention: on reasonable suspicion of criminal activity, ask am i free to leave or being detained, required to answer, if they refuse to answer start recording, right to remain silent, officer can search you
 - Arrest: must be probable cause. Make clear you're press. Don't unlock your phone, don't consent to search of property. You'll be read your Miranda rights, ask for a lawyer, remain silent. Reporters committee has a 24-7 legal hotline, and can handle incidents of journalist arrests at protest activity. Can be detained for up to 12 hours. If charged, booked/fingerprinted, belongings taken. Important about police access to digital devices: cameras, smartphones. Police must have special circumstances to search. Must have evidence of crime captured on camera or smartphone. Even if the camera is seized, officers need a warrant to search it. Under federal law, may not be able to search even with a warrant. They can delete your photos in some cases. Don't consent to a search.
- If you are being targeted, you can reach out to CWIJ using this form to access safe assistance and peer support: A very important resource that journalists can get in touch when they are targeted. We also have a safe assistance mechanism and peer support networks.
<https://docs.google.com/forms/d/e/1FAIpQLSd36vIe3v0UK6bt2SjrQ64Z7srgQHfAsyVrveTcooWbeJPSw/viewform>
- How to get NYC Press Credentials:
<https://www.nyc.gov/site/mome/press-card/press-card.page>
- RCFP's legal hotline: 1-800-336-4243 NOTE: **RCFP's Legal Hotline is for informational purposes only. Contacting our hotline does not create an**

attorney-client relationship. Please do not submit confidential information through the hotline.

- Hotline web form: <https://www.rcfp.org/legal-hotline/>
- Department of Justice Civil Rights Division
 - During 2020 protests, looked into dispersal orders that shut down news gathering may be 1st amendment violation. Blanket use of dispersal that shuts down news gathering may be 1st amendment violation in Minneapolis
 - Working on national-level interactions of press interactions at protest activity, hopefully with practical guidance to mitigate police brutality against journalists: by having contact between journalists and police.
- What should journalists do if police/security say the sidewalk is private property?
 - The circumstances of the incident are important. Generally, comply with police orders. Challenge illegal police action after the fact.
 - Make sure you've got an editor/legal counsel keeping tabs in the newsroom, or use his hotline.
 - Have specific points of contact with the police to intervene in these situations.
 - If you're being removed from the scene, having pre established point of contact in the police can be helpful if police shutting down newsgathering
- Yemile Bucay, facilitated discussion
 - CCM partnering with Journalism Protection Initiative at CUNY J School
<https://www.journalism.cuny.edu/centers/journalism-protection-initiative/>
 - Safety advisor and risk management in prevention and preparation practices and responding to threats
 - Resource
 - Previously was a journalist for many years in Mexico. Safety approach from a journalist perspective. Safety as a feeling that is different for each person, also should be empowering, not something that gets in the way of journalism. Risks are different for each person and their contexts.
 - Safety recommendations contextualized for each individual.
 - Question for Gabe, To what extent does citizenship status affect the rights of journalists? Do those rights extend to citizens and to undocumented citizens?
 - Gabe: for 1st Amendment rights, on U.S. soil, these rights apply. The law is evolving around who is a journalist. We've argued that if you're engaged in news-gathering, if your function is journalistic, you'd be protected at a protest.

The top line is journalists have no rights beyond the public. Also true that various questions of 1st amendment rights are tailored to protest activity. Since 2020, journalists have sought injunctions to prevent police from removing journalists from the scene. Courts upheld the injunctions, likely success in finding protection by 1st Amendment that police response should be about the laws

- If you're a citizen / permanent resident, your rights would be the same
- If you're undocumented, the 1st Amendment rights are the same, but there may be other considerations for you in terms of interactions with law enforcement.

From a 1st Amendment perspective, it doesn't matter, assuming you're engaged in journalistic activity and aren't involved in the protest.

- Risk of arrest can have implications on immigration proceedings
- Kiran: If you are in the process of immigration, that affects your access to rights. Until you get to the process of citizenship, there is a huge change in your legal protections. Exiled journalists completely censor themselves, stop reporting, because what is your status in the U.S. and then what is the access you can have to advocacy. Changes the cooperation you get from law enforcement. Majority of cases of exiled journalists or going through immigration processes are never taken seriously by law enforcement, no access to pro bono lawyers, any resources, affects their safety and censorship.
- One thing we hear in Chinese-language diasporic space, journalists experiencing surveillance but don't know where or how this is functioning. Lots of journalists playing chess figuring out how and why they're surveilled and by who? How to respond, leave byline off their reporting? Repost wechat deleted articles on different forums? How to know you're being digitally followed?
 - Madi: strategies against doxxing. Forms of risk calculation on censorship/self-censorship hard to make recommendations without knowing every angle of risk an individual is dealing with. Strategies of doxxing: having your name attached or not. Try to make sure your private information: address, phone number is off the internet. Have specific email addresses available or office phone numbers as opposed to others. Services to id what info is online about you. Take stock of what info about you is present:
https://www.odbproject.org/wp-content/uploads/2019/03/ODB_DDP_HighRes_Single.pdf
f Useful to know what is and isn't out there. This link is one way of doing so.
 - Yemile: resources for protecting yourself from doxxing:
<https://onlineharassmentfieldmanual.pen.org/protecting-information-from-doxing/> ;
<https://onlineharassmentfieldmanual.pen.org/respond/navigating-state-sponsored-online-abuse/> ; <https://onlineviolenceresponsehub.org/for-journalists>

- Digital harassment: rude comments, threats of violence in response to their work, can include targeting campaigns within the U.S. and overseas. Community journalists take it as though it's expected to tolerate it with thick skin. This impacts a chronic level of stress and trauma. How can journalists take care of themselves?
 - Yemile: defining terms: doxxing= non consensual exposure of personal/private info, accompanied with threat to harassment to intimidate you. Have to advocate for regulations, and also deal with safety. Astroturfing: when organized groups, state actors, launch online harassment campaigns that seem grassroots coming from people, but it's well-funded, coordinated, well-resourced. Support: online harassment is real abuse, proliferating targeting all sorts of journalists. Designed to isolate you and make you seem like it's just you. State actors= well-funders, well-organized, often 1 state actor funding this even if it seems it's hundreds of people. Not normalizing it as part of our job, not part of the job to tolerate abuse and harassment, not acceptable. Advocacy to denormalize this behavior and put consequences to this. Also, practical measures: before/during/after to protect data online/securing accounts and devices, what can I do during the abuse, draw on allies, understand the abuse that's online is coming through channels we need for our work, can't just ignore or not use those platforms because that's how you disseminate reporting, and after: what does recovery look like. Online abuse has real impacts on sense of safety, mental health, many studies document this. Has real impacts. One impact: on censorship. Many journalists who experience abuse censor themselves to different degrees, not engaging online, not covering certain stories, leaving the profession altogether. Need to protect themselves but how can we change that reality? If you're experiencing that, it is widespread, you're not the only one, it's not something you're doing wrong, it's not your fault. The abuse is the fault of the person perpetrating that abuse, there are resources. Tradeoffs when we do reporting. Risk/reward calculation. Needs to be meaningful awareness and consent, can't practice risk analysis if I don't know my risks. If I take the risk, what mitigations can reduce the likelihood of or impact of the risk. How can I make that worse-case scenario less bad? That practice is doing a risk assessment of our exposure, making that concrete and what can we do to make them less severe. We can't avoid all of it, depending on our reporting. If I report via wechat, to communicate, I can't leave that platform, but being aware of the risks of surveillance.
 - Yemile: <https://www.icfj.org/our-work/chilling-global-study-online-violence-against-women-journalists>

- Kiran: Important insight on how women and non-binary journalists are targeted in the United States abroad. These reports include all forms of harassment and threats journalists from gender and racial backgrounds face.
<https://www.womeninjournalism.org/reports> ;
<https://www.womeninjournalism.org/reports-all/press-freedom-status-for-women-journalists-annual-report-2023> ; This resource page provides a timelines of major press freedom campaigns by govts against women journalists
<https://www.womeninjournalism.org/timelines> ; This includes all forms of attacks and campaigns of silencing journalists, including online, offline
- Bangladesh, shut down of internet for 12 days with violence against students
- Communities and censorship within the community; self-censorship needs to be unpacked. How repression inside communities affects people. Protections when it's entities within the community repressing free speech
- We will be posting the reporting guide by this week, JPI and CCM will partner on online harassment info in the coming months.
- If you are a journalist in community media, we welcome you to share your experiences with repression, press freedom, and safety in this form:
<https://www.journalism.cuny.edu/centers/journalism-protection-initiative/>