

Recent Publications

(January 2021)

- Reflection on Lidsky, Larissa. *Prying, Spying, and Lying: Intrusive Newsgathering and What the Law Should Do About It*, 73 TUL. L. REV. 173 (1998) in 25 COMMUNICATIONS LAW & POL'Y 418 (2020) (Special anniversary edition).
- Survey, New York Media Law, 2019-20, 71 SYRACUSE L. REV. __ (2021). (in editing)
- Survey, New York Media Law, 2018-19, 70 SYRACUSE L. REV. 535 (2020).
- New Voices, New Rights, New York: A case study and a call for student journalist protections in New York, 83 ALBANY L. REV. ____ (2020) (forthcoming).
- Survey, New York Media Law, 2017-18, 69 SYRACUSE L. REV. 937 (2019).
- Feiner and the Heckler's Veto, AEJMC Journalism History First Amendment History Special, August 2019. <https://journalism-history.org/2019/08/06/gutterman-essay-feiner-and-the-hecklers-veto/>
- Survey, New York Media Law, 2016-17, 68 SYRACUSE L. REV. 1011 (2018).
- "Actually ... In Defense of the First Amendment Actual Malice privilege," 68 SYRACUSE L. REV. 579 (2018).
- "The Heat is On: Thermal Sensing and Newsgathering – A Look at the Legal Implications of Modern Newsgathering," with Angela Rulffes, PhD., 23 COMMUNICATIONS LAW & POLICY 21 (2018).
- "Ballot Selfies: New Political Speech in Search of First Amendment Protection in Social Media," 8 WAKE FOREST JOURNAL OF LAW AND POLICY 211 (2018).
- "Liar! Liar? The Defamatory Impact of 'liar' in the Modern World," 27 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 253 (2017)
- Survey, New York Media Law, 2015-16, 67 SYRACUSE L. REV. 1127 (2017).
- Survey, New York Media Law, 2014-15, 66 SYRACUSE L. REV. 1075 (2016).
- Survey of New York Media Law, 2013-14, 65 SYRACUSE LAW REVIEW 865 (2015).
- Survey of New York Media Law, 2012-13, 64 SYRACUSE LAW REVIEW 867 (2014).
- *New York Times Co. v. Sullivan: No Joking Matter – 50 Years of Protecting Humor, Satire and Jokers*, 12 FIRST AMENDMENT LAW REVIEW 497 (2014).

Recent Commentary/Op Eds

- Chike Uzuegbunam v. Preczewski, Law360, January 19, 2021.
- “After 4 damaging years, Biden must restore press freedom,” Syracuse.com/Post Standard, Dec. 10, 2020.
- The Right to Vote is ‘the essence of a democratic society.’ Exercise it,” Syracuse.com/Post Standard, Oct. 22, 2020.
 - “Exercise Those Rights,” Featured News on Newhouse website, newhouse.syr.edu, Oct. 6, 2020.
- “Trump, Twitter and the distraction of censorship,” The Post Standard/Syracuse.com, May 29, 2020.
- “The public needs information during a public health crisis,” The Post Standard/Syracuse.com, March 27, 2020.
- “The Answer to hate speech is more speech to expose it, fuel change,” The Post Standard/Syracuse.com, Dec. 29, 2019.
- “You have a First Amendment right to follow Trump on Twitter,” The Post Standard/Syracuse.com, Sept. 5, 2019.
- Assange case could make news reporting a crime, The Post Standard/Syracuse.com, June 13, 2019.
- RIP MLR, AEJMC Media Law Notes, Summer 2019.
- NY’s mug shot ban is a blow to government transparency, The Post Standard/Syracuse.com, April 28, 2019.
- Feiner, 1949, The Post Standard/Syracuse.com, March 10, 2019.
- “News story errors: There’s a difference between fakes, mistakes,” The Post Standard/Syracuse.com., January 27, 2019.
- “Media Bashing spreads from White House to the World,” The Post Standard/Syracuse.com, December 2, 2018.
- “It’s Not a Crime to Mock the President,” The Post Standard/Syracuse.com, September 30, 2018.
- “FB and Mr. Jones,” The Post Standard/Syracuse.com, August 16, 2018.

- “Clothing is protected under the First Amendment,” The Post Standard/Syracuse.com, July 22, 2018.
- “Journalists in Jeopardy,” The Post Standard/Syracuse.com., June 10, 2018.
- “Lamprooning our leaders is as American as apple pie,” The Post Standard/Syracuse.com. May 1, 2018.
- “Whistleblowers and Reporters: Trust,” The Society of Professional Journalists Whistleblower Project,” March 12, 2018.
- “Unshackle Student Journalists,” The Post Standard/Syracuse.com, February 18, 2018.
- “A Matter of Malice,” The Post Standard/Syracuse.com, January 21, 2018.

Recent Book Reviews

- Book Review: Dare to Speak by Suzanne Nossel. The Washington Post, August 2, 2020.
- Book Review: Journalist on Trial by Rodney Sieh. AEJMC Quarterly, Vol. 96, Number 2, 635 (2019).
- Book Review: “Paparazzi” by Kim McNamara, AEJMC Quarterly, Vol. 95, Number 2, 551 (2018).
- Book Review: “The Soul of the First Amendment” by Floyd Abrams, The Washington Post, May 19, 2017. Also published in The Times Picayune.
- Book Review: “Hot News in the Age of Big Data – A Legal History of the Hot News Doctrine and Implications for the Digital Age” by Victoria Smith Ekstrand (AEJMC Quarterly Spring 2017).
- Book Review: “The Rise of the Right to Know” by Michael Schudson (AEJMC Quarterly, Summer 2016).
- Book Review: “An Open Internet for All: Free Speech and Network Neutrality” by Dana D. Bagwell (AEJMC Quarterly, Winter 2015, p.992).