#### Recent Publications (January 2024)

* Survey, New York Media Law, 2022-23, 74 Syracuse L. Rev. \_\_\_ (2024) (in editing).
* *Hexing, Vexing and Flexing: A Look at the Legal and First Amendment Implications of Curses, Spells and Witchcraft*, 75 Rutgers L. Rev. 897 (2023).
* Survey, New York Media Law, 2021-22, 73 Syracuse L. Rev. 849 (2023).
* *Liable, Naaaht:  The Mockumentary: Litigation, Liability and the First Amendment in the works of Sacha Baron Cohen*, 13 Harvard Journal of Sports and Entertainment Law 141 (2022).
* *Masking Free Speech: the First Amendment Implications of Masks, Clothing and Public Health*, 53 Loy U. Chi L.J. 475 (2022).
* Survey, New York Media Law, 2020-21, 72 Syracuse L. Rev. 959 (2022).
* 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. 301 (2021).
* 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. \_\_\_ (2022) (publication delayed).
* 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

* CNN Opinions: “Order denouncing possibly the ‘most massive attack against free speech’ is full of hyperbole and short on specifics,” July 10, 2023 (cnn.com).
* “Daniel Ellsberg never gave up his lifelong fight against censorship,” The Post Standard/Syracuse.com, June 22, 2023.
* “Montana’s TikTok ban tests the limits of law and social media,” The Post Standard/Syracuse.com, May 28, 2023.
* “NY Court agrees: You have the right to see police disciplinary records,” The Post Standard/Syracuse.com, Feb. 8, 2023.
* “Prince, Syracuse University football and Justice Clarence Thomas,” The Post Standard/Syracuse.com, Oct. 23, 2022.
* “Depp v. Heard portends more defamation lawsuits, less free speech,” Syracuse.com/Post Standard, June 10, 2022.
* “Censorship of Tully student offers an inadvertent civics lesson,” Syracuse.com/Post Standard, Feb. 04, 2022.
* “Harry Rosenfeld, editor behind Watergate, knew how fragile the world is,” Syracuse.com/Post Standard, August 7, 2021.
* “Supreme Court boosts more than just a cheerleader’s free speech,” Syracuse.com/Post Standard. July 2, 2021.
* “Or of the Press”: A Deeper Look into the History of the Free Press, Dividedwefall.com, June 2021.
* “Assaults on press freedom, here and abroad endanger democracy,” Syracuse.com/Post Standard, May 2, 2021.
* “Is election disinformation free speech or defamation? Courts will decide,” Syracuse.com/Post Standard, Feb. 26, 2021. (Also ran in Star Ledger, South Jersey Times).
* 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.
* “Lampooning 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: The Fight for Free Speech, (AEJMC Quarterly 2022) (February 23, 2022).
* Book Review: Dare to Speak by Suzanne Nossel. The Washington Post, August 2, 2020.
* Also ran in The Plain Dealer (Cleveland); The Birmingham News; Ann Arbor and Advance Michigan; Huntsville Times; The Oregonian; The Patriot News (Harrisburg); The Star Leger (Newark).
* 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).