

Guidelines for Identifying Juveniles

California has no specific laws regarding interviews with juvenile subjects. A lot depends on the context and the subject of the story. That being said, the decision whether or not to identify a juvenile by name or use video that identifies a juvenile needs to be done on a case-by-case basis. Obviously, if we are doing a story about children, we need to be able to do interviews that will be important to the focus of the story, but in a story about a crime or traffic accident or something of that nature, it is best NOT to interview juveniles for a couple of reasons. Juveniles are seldom reliable as witnesses and are more likely to provide false information. Parents are more likely to raise a complaint if they see their child on television talking about a crime. If a juvenile sound bite is an important part of the story, our policy is to first obtain a parent's permission.

In our newsroom here at 29 Eyewitness News and FOX58, the decision to identify a juvenile must be made with news management's direction. No news staff should make the call without clearing it with a manager first. If a news manager is unavailable to discuss the decision, the news staff must make the call not to in any newscast until a news manager is available. We do not, and should not have a policy of never identifying juveniles; we will weigh each decision based on the circumstances of the story.

There is one case that is absolute: WE DO NOT Identify Abused Children or Children Who are Victims of Violence. This can be difficult at times; especially if a child is a relative to the suspect. In those cases, we do not identify the victim as a relative of the suspect or say anything in our scripts to suggest such to the viewers.

To help give direction in deciding whether to identify a juvenile by name or through video, these are some notes compiled by the RTNDA. The following points and questions can help provide an ethical guideline for making this decision:

Newsrooms have to make tough decisions about when and how to identify juveniles who become involved in news stories. Some media companies have policies against identifying juveniles, but often those policies conflict with a reporter's duty to "seek truths and report them as fully as possible." On the other hand, juveniles deserve a special level of privacy protection. Crime victims and juveniles below teenage years deserve more protection because of their vulnerability.

Still, thoughtful journalists can find ways to illuminate the public by telling stories that involve juveniles, even those who are accused of crimes or suffer from abuse. Usually, this thoughtful coverage involves going beyond the daily news event to gather a deeper understanding of the context of a story. Gut decisions to identify juveniles can cause unjustified harm. Strict policies against identifying juveniles can prevent the public from understanding important issues.

When deciding whether to identify a juvenile, journalists should consider:

- *Who is served by identifying this juvenile? Why does the public need to know the identity? What is my journalistic purpose in identifying the juvenile?*

- *If the juvenile is charged with a crime, what is the strength of the evidence? Have formal charges been filed or is the juvenile just a suspect? How likely are the charges to stick and be prosecuted?*
- *What is the severity of the crime, the nature of the crime and how much harm was done in the process of the crime?*
- *If you do not name the juvenile, who else could be implicated by rumor or confusion about who is charged?*
- *If the juvenile is charged with a crime, will the juvenile be tried as an adult?*
- *What is this juvenile's record? What is his/her history? How would shielding that juvenile's identification and history expose the public to potential harm? What could happen if you do not name the juvenile? What harm could occur?*
- *What is the level of public knowledge? Is the juvenile's identification widely known already? How public was the juvenile's arrest, apprehension or the incident that landed the juvenile in the public eye?*
- *How does the juvenile's family feel about identifying the young person? Has the family granted interviews or provided information to the media? Has the juvenile talked publicly?*
- *Once a juvenile is identified, some damage is done to that person that can never be completely reversed. But even if charges against the juvenile are dropped or proven untrue, do not discount the value of stopping further damage by not continuing to identify the juvenile. The journalist should continuously evaluate the decision to name a juvenile, always testing the value of the information against the harm caused to the juvenile. Just because a juvenile's name has already been reported is not an ironclad reason to continue reporting the name.*
- *How does naming the juvenile allow the journalist to take the story into a deeper, more contextual level of reporting? What would identifying the juvenile allow the journalist to tell the audience that they could not understand otherwise? For example, perhaps a deeper understanding of the juvenile allows us to understand the circumstances of a crime or incident.*
- *What is the tone and degree of your coverage? How often would the juvenile be identified? How big is the coverage? How will the juvenile be characterized in the coverage? What guidelines do you have about the use of the juvenile's pictures or name in follow-up stories or continuing coverage?*
- *How immediate would the identification be? Minutes, hours, days or even years after an incident identification would have different impacts on the juvenile.*
- *What are the legal implications of your decisions? What laws apply about juvenile identification? What is the position of the presiding court?*
- *How old is this juvenile? How much does the juvenile understand about the situation they face?*
- *Who besides the juvenile, will be impacted by your decision? Other juveniles? Parents? Families? Victims? Officials/investigators/courts?*
- *In the absence of a parent or guardian, can the journalist find someone who can act in an unofficial capacity to raise concerns on the juvenile's behalf so the juvenile's interests do not get lost in the journalist's quest to tell a story?*
- *What alternatives have you considered besides identifying the juvenile?*
- *How will you explain your decision to identify this juvenile to the public, to your newsroom?*

Created through RTNDF's Journalism Ethics Project by Al Tompkins, broadcast/online group leader, The Poynter Institute.