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Jana Winter, and Lydia Cacho are only two examples of journalist who are whiling to assume any consequences in order to protect the identities of their sources that they promised confidentiality to. (Photograph by: Natalie Rodriguez/Full Sail University)

Earlier this month, Jana Winter, a FoxNews.com reporter was [taken to court](#) and may be forced to

reveal who the source that gave her information on James Holmes, the Aurora Colo. shooter in the theater massacre, was. Maria del Rosario Martinez, known as [Charito Martinez](#), a journalist with a license in Mexico as a radio announcer and radio host at local regional Mexican radio station KRZZ, 93.3 FM La Raza talks about reporters, anonymous sources and whether or not she would take an anonymous source in order to get an exclusive. Martinez tells an anecdote of being offered money in exchange for speaking to “an anonymous source” and how she thinks twice before accepting an anonymous source because “you have to know if the information is going to be true.”

Confidentiality and the truth:

For now, the decision on whether Jana Winter will be called to testify or not has been [postponed](#) until August, which means that there is still a possibility that she may have to testify and either reveal the name of her source or face time in jail. Martinez remembers the case of Mexican reporter, [Lydia Cacho](#), who has since left her country. “She was a national reporter and she went through the same process with the government and sources in Yucatan,” says Martinez. In response to these cases Martinez believes that “if you work for a corporation, you have to follow their rules” and that in doing so you could end up compromising your sources because “sometimes they pressure you to do certain things with your sources.”

Having to disclose your source is

not the only way in which you could compromise your integrity as a journalist, knowing when a source is telling the truth and double checking facts is also essential to Martinez.

Personally, Martinez will not easily accept an anonymous source because she takes her promise to confidentiality very seriously, as well as her promise to the truth. When she does accept an anonymous source she needs to “double check my sources, so always, always double check your sources” because you want to make sure that “they’re going to say the truth.”

The regional Mexican scene:

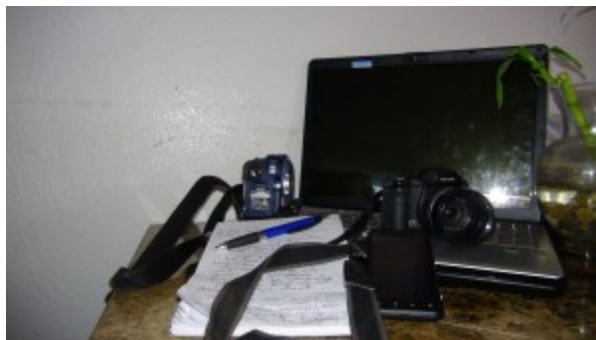


The culture of Narco corridos in the regional Mexican format goes beyond music to include fashion trends as well. (Photography by: Natalie Rodriguez/Full Sail University)

Currently the regional Mexican music industry has made headlines due to the *Narco Corrido*, or drug trafficking ballads, and its artist who have been murdered. Martinez has had the opportunity to personally work with a few of the artist on the list due to her line of work. Last Thursday, *Jesus “Chuy” Quintanilla*, a *narco corrido* singer was found shot dead in Texas. While his death has yet to be declared a murder, his name is now on that list of singers of that genre who have

died a tragic death. Martinez remembers an occasion in which she was offered a large amount of money to speak to an anonymous source. "Someone offered me \$10,000 to do something. But no, I mean, use your ethics." This is one particular case in which Martinez decided to say "Thank you, but no thank you." As advice to other journalist she says you should always question, "Who are you devoted to? The truth? To be loyal to the public, to the general public?"

In California journalist are protected from disclosing their sources by:



The California Shield Law would protect you from having to disclose published or unpublished information such as recordings, photographs or notes. (Photograph by: Natalie Rodriguez/Full Sail University)

The California Shield Law

- Who is protected?
 - Online publishers are protected through this shield law.
 - It Protects people who are "connected with or employed upon a newspaper, magazine, or

other periodical
publication.”

- It is unclear whether or not “bloggers” are protected, and what the definition of “news” is considered to be.
- What does it protect?
 - Protects published and unpublished information such as notes, photographs, videos, and recordings.
 - Protects the source and any information that “might lead to their identity.”
- If you are a third party in a civil case the shield will protect you.
- In a Criminal case the shield will protect you if the prosecution is the one looking for information, however a defendant could possibly overcome the shield.

The United States Constitution

- The constitution may protect reporters based on the Freedom of Speech granted by the first amendment.

The Federal Privacy Protection Act (PPA)

- This may protect you from search warrants. If a search does take place and you feel that it has violated the PPA, this protection lets you file a civil lawsuit. If it applies to you, it protects you in all states.
- Who is protected?
 - At the moment the specifics are not very clear.
 - This federal protection covers “a person in connection with a purpose to disseminate to the public a newspaper, book, broadcast, or other similar form of public communication.”
- Exceptions
 - Government officials can conduct a legal search if they have “probable cause” to believe that the reporter has evidence that links them to a crime.
 - The search may also be

legal if the authorities believe that putting off the search will result in “death or serious injury.”

For more information on legal protection for journalists, visit the [Digital Media Law Project](#).