ANDREW HESLOP, HOST: In July 2023, one month after radio journalist Lauren Chooljian released an investigative podcast series for New Hampshire public radio in the United States, she began receiving threats.

LAUREN CHoolJIN: My parents' house, my boss Dan's house and the house that I live in were vandalized. There were five separate incidents, but they were all similar types of vandalism. So, a brick or rock thrown through windows. In most cases the C-word was spray painted in red on a front door or a garage. But at my house, a brick was thrown through this big picture window and “just the beginning” was spray painted in red under the window. I felt that it had to be related in some way to the reporting.

HESLOP: The podcast, “The 13th step,” looked into sexual abuse allegations against the founder of the state’s largest addiction treatment network.

He filed a defamation lawsuit against Chooljian and her station after the podcast was aired.

At first, it wasn’t clear who was behind the vandalism and violence that followed.

CHoolJIN: You know, I didn't know who did it, but I just, I had heard from a lot of sources telling me to be careful and that I'm dealing with a powerful individual here, that he knows and has close ties to people who would commit violence. And, you know, you hear those things in the course of reporting projects sometimes and you respect that, but you also want to continue with the reporting.

HESLOP: This is The Backstory, a podcast from Wan-Ifra, the World Association of News Publishers.
I’m Andy Heslop, Wan-Ifra’s press freedom executive director. In this season of the podcast, we’re exploring the state of press freedom around the world.

For this episode we’re in the Americas.

The United States has long been held up as a model for press freedom worldwide. But increasing polarization and the rise in the populist politics that feeds it are challenging this assumption. And instances of government officials undermining the media and the country’s democratic institutions makes it increasingly difficult for journalists to do their jobs.

Farther south, governments have been using laws to arrest and detain journalists who ask too many questions, while criminals who target journalists go unpunished.

In this episode, we’ll take a close look at the US, Guatemala and Mexico, while also identifying trends that are spreading regionally.

JOEL SIMON: I think what we’re dealing with throughout the region, and it plays out, obviously, very differently in very different countries, is a sort of compound crisis of credibility, trust, financial viability, and sort of risk.

HESLOP: Joel Simon is the founding director of the Journalism Protection Initiative at The City University of New York, in the United States.

He started working as a journalist in the 1990s, covering the conflict in Guatemala, and spent over a decade in Latin America.

And for 25 years he served as executive director of the Committee to Protect Journalists.

He spoke to Backstory producer Sarah Elzas about how the challenges are playing out across the Americas.

SIMON: That is true, whether you’re in a country like Venezuela, or Nicaragua, that are authoritarian and basically ungovernable, or a country like Brazil or Mexico or Honduras, where there's high levels of violence, or in the United States, where obviously things don't play out in ways that are quite that dramatic. But there, you know, we're dealing with the same kinds of issues in terms of declining trust, deepening polarization, real challenges in the business model, and a kind of risk environment that will probably escalate and elevate once we go into the election season, which is, you know, coming right up.

SARAH ELZAS: It's not often that we think about press freedom in the United States in the same phrase, say, as Venezuela or Mexico.

SIMON: Yeah, I mean, I think reality of course, the everyday experience of journalists in the United States is completely different. And I don't want to suggest that there’s some analogous kind of experience, certainly. But what we can say is that the kinds of changes in the kind of information environment and the technological environment that supports and creates the information space in which journalists participate is changing everywhere. And that’s producing crises, whether you’re in a kind of, you
know, more authoritarian or violent country where there's kind of actual physical risks, or whether you're in a country with stronger institutions. And you're still going to be dealing with some of these same challenges.

CHOOLJIN: I do think that we see the United States as a place where journalists are more protected. But, like unfortunately, we're not giving a lot of good examples for why the United States should continue to deserve that kind of reputation.

HESLOP: Again, that’s American radio journalist Lauren Chooljian, who was targeted after releasing a podcast investigating sexual abuse allegations against the founder of New Hampshire’s largest addiction treatment network.

CHOOLJIN: We're kind of moving into a chapter where it feels as though people in our country think that violence is an acceptable way to show anger. Like as the MeToo movement grew and as more people felt comfortable coming forward with these huge allegations against powerful people, the powerful people also started to learn over time, bigger and stronger ways to combat those. So it's like I think that we're in a different moment in time now where harsher reaction is more common. It's a whole new world. And I think we have to just learn and adapt to it.

HESLOP: The FBI got involved in investigating the vandalism and violence directed at Chooljian.

Four men were eventually arrested, including one that investigators called a “close and personal associate” of the CEO at the centre of her podcast series.

She told Backstory producer Colette Davidson that she was shocked that the story led to threats against her and her family.

CHOOLJIN: I have never, never experienced anything like this. I've been a reporter for ten years and I used to cover politics. At that time especially, it was kind of like people in politics knew the name of the game. And if you didn't like something, you called the newsroom and you said, I didn't like that story and here's why. You know, I had done tough takes on politicians. But never have I ever experienced anything to this level. If it were a random, awful thing, it would be a random, awful thing. But, you know, when it's really about the work that we do, which is supposed to be protected by our constitution, you know, it's like we're in a different ball game now.

COLETEE DAVIDSON: Yeah. And I believe there's one part in the podcast where you mentioned, I think it was your mom who asked you to stop.

CHOOLJIN: Right.

DAVIDSON: What was your reaction? Did you ever really think about stopping?

CHOOLJIN: Well, I will say that I think, though, I never really wanted to stop the reporting because I could kind of see this for what it was, that doesn't mean that I wasn't scared. I mean, I think it would be crazy if I wasn't scared. I have a daughter and this is like some big deal traumatic stuff that now we all have to continue to deal with because the ramifications of these kinds of things are not just like, it happened one day and we're devastated and then you move on. No, this is the kind of trauma that sticks with you for a long time. And so I definitely feel it and felt it, and was
scared and horrified and mad and all of the things. But I just felt like, the stakes of this reporting were too high and so many people had come to me with such awful, traumatic, you know, moments in their lives, experiences. And they were brave enough to do that… it was the least I could do to continue to do that reporting. And I also want to say, you know, we’re a small station, and yet I had access to way more resources in dealing with all of this than many of my sources had. And so I just felt like, if the point was to try and get me to stop, I just couldn't let that happen. Who's to say that if the reporting stops, this harassment stops? So in the end, I'm proud that that's the decision our team made. And I'm, you know, frankly proud of myself, because it's been awful.

DAVIDSON: Do you think you'll do anything differently in future reports?

CHOOLJIN: I have learned a lot. But like, what I mostly learned is that your best defense is being a strong reporter and corroborating and only going out with stories that are bulletproof, which is what I did. You know, it is been obnoxious and exhausting and expensive to have to deal with this lawsuit. But my reporting is rock solid and the station is defending it because I take ridiculous notes and I do multiple interviews and I make sure I have multiple forms of corroboration for such big allegations. I mean, these are some big allegations against a powerful person that are going to change and have changed his life. And so I take that role very seriously. And, you know, I can't say I was prepared to get sued. But like, I've got it all down.

HESLOP: While experiences like Chooljian’s are still relatively rare in the United States, in a country like Guatemala, retaliation against journalists is all a part of the job, and it comes from the very top.

While freedom of the press is guaranteed by the constitution, it’s regularly violated by government officials and politicians alike.

Those who investigate or criticise corruption face harassment and criminal prosecution, like José Rubén Zamora, the founder and director of El Periodico newspaper, who has been in prison since mid-2022.

His son, Jose Carlos Zamora, said his father has faced attacks throughout his career, but this last one, which landed him in jail, has been particularly brutal.

JOSE CARLOS ZAMORA: This one has been especially challenging because this government fabricated a criminal case against him that allowed them to imprison him. And they have pretty much held him hostage for over a year in terrible conditions.

HESLOP: Zamora told Backstory producer Mariona Sanz that tactics to intimidate and shut down journalists in Guatemala have evolved.

It used to be that repressive governments would undermine media organizations, calling into question their credibility.

Or there would be death threats, physical attacks, even assassinations.

ZAMORA: Repressive regimes understood that killing journalists comes at a very high price, especially with the international community. And little by little, they
discovered that they have other tools. They started doing fiscal terrorism. So they would send the government tax institution to do audits. And they would say the newspaper is not paying its taxes. The auditors spend their six months. That makes the team also lose its focus. It's a lot of resources and time. And they never found anything because there wasn't anything to be found. Then that also evolved to the use of civil law to attack journalists. Public officials, congress people started suing journalists. And in the case of my father, it got to a point where he had 190 lawsuits. At the end, most of those cases, with time, they fell through. But while they were active, you have to go to hearings, you have to to spend funds that news organizations don't have to pay lawyers. So it was very difficult. And then there was a big leap to the government fabricating criminal cases against journalists. With the civil lawsuits, they were like difficult to deal but you were free. And what they do now is they fabricate a criminal case. Because it is a criminal case they can request a judge to give the person preventive prison and they imprison you while they do their investigation. And my father, he has been now in prison for 420 days. At the same time, it was an attack on the newspaper, even though we managed to continue running the paper for a year. At the end, it was impossible to continue doing it because the government kept harassing the journalists in the team. They kept harassing advertisers. So little by little, it became harder and harder. And El Periodico had to shut down.

MARIONA SANZ: Yeah, in May 2023, El Periodico shut down after more than 25 years of investigative journalism, right?

ZAMORA: Yes, 27 years. And so that was very tough for my father, for the family for every journalist that works that work there. And it's terrible for the country because there's one less source of of information. When the administration imprisoned my father, they had three goals. One was to to silence him. Their second goal was to shut down the newspaper. And the third goal, and I think that's the most damaging one, is that they wanted to send a message to all journalists in the country that doing journalism is a crime. If we went after El Periodico, who had this incredible track record and reputation, and Jose Ruben Zamora, we can go after anybody.

SANZ: Do you live in Guatemala or are you living outside Guatemala?

ZAMORA: I've been living outside of Guatemala for 20 years now and in many ways the reason why I ended up living abroad is because of this situation, like throughout my father's career we were subject to all of these acts of persecution and attacks and for as long as I can remember like we were always being like followed, shot at. Like you would be somewhere and a car would come by and do like a drive-by shooting. They weren't intended to kill you because they could have, but they wanted to scare you. They would come and do attacks on the newsroom. In 2003, they held our entire family hostage for over three hours. In 2008, they tried to assassinate my father. So for all of those reasons and the fact that I was living abroad when my first son was born is when I decided that there like it was not reasonable to bring back your children to live under those circumstances. My father was still there and my mother and my youngest brother, who now are also here with me because in this process they also started persecuting them and they started threatening them with criminal persecution, and also for these fabricated cases. And the same thing happened to many of the members of the newspaper. There's an open case against
10 journalists of El Periodico just for doing their job. Many of them except one are now abroad because it wasn't safe for them to stay.

SANZ: What can the global community, the international community, do in order to help your father?

ZAMORA: There's two main things, one is keeping the story alive and keep covering what's going on in his case and in Guatemala. In many ways, the reason why he's in prison is because these authoritarian people want to silence him and they don't want information about what's going on to be published. And the other one is the international community should ensure that all these corrupt actors aren't allowed to flee Guatemala when their administration ends. The US is a good example that with these corrupt actors they already denied them their visas and froze the accounts they have in the US, but that should happen in every country. Because for these people what they usually do, once their administration ends, they have funding that they acquired during their administration and they just want to flee to Spain or Italy and then they know that nobody will be able to follow them there and they'll retire with their fruits of their corrupt acts.

SANZ: Apart from the case of your father, journalists have been killed in Guatemala recently, several journalists imprisoned, others are in exile. What motivates journalism to keep doing their work in this context?

ZAMORA: I think and this is also what we've always discussed in my family and in my father, journalism is a calling, right? It's really a will to do public service and if you believe in it you'll do it. Access to information helps people live better lives and in terms of fighting corruption it's a very important tool.

HESLOP: Guatemalans elected a new president in the summer of 2023, and Bernardo Arévalo took office in January of this year.

But even with the new regime, Jose Carlos Zamora doesn't see the situation improving for journalists, because the problem is more systemic.

ZAMORA: It's been incredible to see that they created this. It's really a crime structure like a criminal structure that they managed to build within the government that they've used to persecute anybody who they considered a critical voice and it's directed by the president but it's conformed by the general attorney. In the last 10 years there was an effort to fight corruption. Everybody was fine when they were investigating politicians and organized crime, but then those efforts started to move to other sectors and then all of the sectors became allies. They wanted revenge so they started going after anybody who they thought was involved so they started by persecuting the highest profile judges, then they went after prosecutors, activists and then journalists. I think my father sees his imprisonment as a continuation of his fight against the corrupt system but it came at a very high price. But one thing that I think is a positive and that makes me feel hopeful is that journalists continue to do their job. In a way, El Periodico was a some kind of university to many journalists, and now they all move to different news organizations or started new ones or are working independently but they all continue to do great journalism and denounce what is happening.
SANZ: Do you see the same, let's say, corrupt system or the same types of harassment against journalists in other countries in the region?

ZAMORA: Yes. You see it more and more and I would say worldwide. You see it in Russia, the Philippines, Venezuela, Nicaragua, El Salvador, Mexico. And what I find important to state is that there are all these movements who always want to use like philosophical views to say, like in Guatemala most of the governments are right to far right and they always say that anything like journalists are communists. But in every country you see that it depends on on what the view of the voters is. These authoritarian politicians use that to get to power but then they do exactly the same thing so it doesn't matter if they are from the right or the left. Once they get into power the one thing that they all have in common is that they are abusive and corrupt. Like, there's no difference between what's happening in Guatemala and what is happening in Nicaragua and Venezuela right. Philosophically is supposed to be very different views but it really isn't. Like their only philosophy is corruption and abuse.

(Soundbite of music)

HESLOP: Mexico is one of the most dangerous – and frequently the most deadly – places in the world to work as a journalist.

The country has a high concentration of media, with a market dominated by larger players: a lot of independent journalism is online and via social media platforms.

Organized crime as well as collusion between criminals and politicians makes reporting on stories that touch on sensitive political or criminal activity, extremely dangerous.

Nearly 150 journalists have been murdered in Mexico since the year 2000, while 28 have gone missing.

Martha Ramos has been a journalist in Mexico for 35 years. She is currently chief editorial officer at the Organización Editorial Mexicana – the largest Mexican print media company, with 45 newspapers around the country. OEM is also the largest newspaper company in Latin America.

She told Backstory producer Irene Abalo that while covering local stories is still possible, when you get close to organized crime, it gets very dangerous very quickly.

RAMOS: Organized crime has spread so much in the last years, since the eighties, and it has cost us a lot of lives. In the 2022, we have more than 18 journalists dead. And we think that organized crime has penetrated already in different levels of government. So now we think that some of the colleagues that had been killed, had been killed, ordered by local government and municipal government. We are not 100% sure, because our worst problem is that we have a 97% impunity in all these cases. So we at the end, we really don't know what happened. But we know we receive calls, threatening calls when we are walking. And they said we don't want to sit here anymore or don't talk about this anymore and don't go through that street anymore. And it's not that we are working in big, huge investigations. It's in everyday
stories. It's being in the wrong place at the wrong time. So that's the worst thing. And the other one that doesn't help at all is this constant speech from authorities, from our president and down, that media is corrupt, that we don't do a good job, that we work for the rich people, that we shouldn't be around, like we are the enemies of the system.

ABALO: What special measures do the media need to take into consideration to operate within the context of organized crime, within the context of violence, within the context of the president perhaps openly criticizing the work that you do? What special measures do the media put in place or need to put in place?

RAMOS: We have trainings, we have Reporters Without Borders and Article 19 are doing a great job going to newsrooms, talking to journalists. We try to be in touch with everyone. We have to know where they are, if they're going to have any place that's really dangerous. You know, we have these terrible phenomena here in Mexico, terrible phenomenon of missing people, people disappearing, and never going back home. And we go with with them, mothers are negotiating with the with organized crime so they can go to find the bones left in some park or in some desert to see if it matches their families. So we go with them and the police go with them and we go protected in groups. Journalists don't work alone. Never. They have to go two or three at the same time, even if they're from different news organizations, doesn't matter. And frankly organized crime is winning. We're not covering a lot of stories we should because it's very dangerous. And with this attitude from the government that media doesn't really necessary for democracy, they won't protect us. So we stop doing those stories. We really do. You know, this president we have right now, it's very peculiar. He doesn't talk to no one, one to one. Never. He has press conference every day at 7 o'clock for two or three hours. It's a monologue. No one in his government talks to media directly. So he says and he claims we can print whatever we want and we can say whatever we want. There's no censorship for us. And strictly that's true because we can print whatever we want and he can go every day and say, you're lying. And you don't have the opportunity to say, I have the proof, tell me your proofs. Tell me this document is wrong. Tell me this official number is wrong. You don't have that chance. Maybe it's not censorship as we know it but it diminishes all your work. For example, during the COVID crisis that we don't have vaccines. And you asked them and they said, no, that's not true and it's not getting social criticism because he stops every criticism. And the other thing is he's you know, there's always mostly for countries like ours, I believe there's so worse contracts of advertising from governments to news media. He canceled all that. And it's important money for a sustainable news media.

ABALO: When were the contracts cancelled?

RAMOS: They'd been going down since he arrived. He tried to pass a law that limited this advertising to 0.001% of the money every state had. But it didn't pass. But every time there's a crisis, he said, I have money, the money I get to the media, I'm going to put it somewhere else when it's needed. So now the people said, Well, yeah, sure, media doesn't need it. And we media have been very bad to explain to people how expensive it is to have a media company.

ABALO: So what motivates you to keep going, to keep doing the work that you do?
RAMOS: I think it's necessary. We have a great country. And if we have if we want to have a better country, we have to have better citizens. If you want to have better citizens, they have to know what's going on. And maybe it's not all our responsibility, but it's really a big part of our responsibility. And maybe not in every news media company, but in our company. They believe in newspapers. They believe very important for our democracy. So if they believe it, I believe it. And we work together. So I'm going to be here for quite a while.

(Soundbite of music)

HESLOP: A large part of journalist safety depends on who's in power and how they choose to wield it.

In Guatemala and Mexico, legal protections for freedom of speech are longstanding, but in practice, those in power are ignoring or abusing the law.

Even in the United States, with its strong constitutional First Amendment right to free speech, the government regime has an impact on journalism.

Media freedom has taken a hit since the presidency of Donald Trump, who insisted that mainstream media content was “fake news,” and that journalists were “enemies of the people” – all of which has affected democracy and public trust in journalism.

Joel Simon, of the Journalism Protection Initiative at the City University of New York, says there are parallels between what's happening in the US, and the rest of the region.

SIMON: Obviously in a place like Mexico or Colombia or Brazil, the challenges that journalists face are much more acute and they're ever-present. But, you know, in all these places, the media institutions are less robust. There are malicious actors, whether populist leaders or in the case of Latin America, drug cartels that are active participants in the information space, competing with journalists to set their own narrative and using violence and coercive measures when, you know, they're unable to kind of assert themselves and feel threatened by the information coming from the independent media. And obviously, it plays out very, very differently in, you know, Mexico or Colombia or Venezuela or Guatemala than in the United States. But the dynamic is not that different. What's concerning particularly at this juncture, is that we're entering what's going to be a polarizing election season in the United States. We have a presumptive Republican nominee who's going to be running against the media and campaigning against the media, and that's going to create a very difficult environment, and if we have a second Trump term, then the institutional guardrails that kind of protected the media from the president who wanted to put them in jail and sue them into oblivion, we can't be assured that they will hold during a second term.
HESLOP: Simon recently contributed to a report on journalists covering protests and demonstrations in the United States, which he says is becoming increasingly difficult.

This was seen acutely during the protests that broke out after the death of George Floyd at the hands of police in Minneapolis, Minnesota in May 2020.

One of the arresting officers suffocated Floyd to death – it was witnessed and filmed, and people across the country came out in protest against police violence and racism.

Floyd was black, the arresting officer who murdered him was white.

SIMON: Journalists, you know, we're out there trying to cover these, these historic events. And they faced systematic harassment, persecution, and violence at the hands of the police. A-hundred-twenty-some odd journalists were arrested or detained. Hundreds were beaten and physically assaulted. And this sort of highlighted the fact that the rights of journalists to cover protests has really never been fully respected in the United States, going back to the civil rights era. And that when these tensions flare, and there's stress, then we see abuses and violations. And what's concerning about that, particularly at this juncture, is that we're entering, you know, what's going to be a polarizing election season in the United States. And it's likely there will be demonstrations and street protests, it's likely or certainly possible that some of them will turn violent, and that journalists will need to be there to cover those demonstrations. And I'm very concerned about the ability of journalists to fulfill that role. And if we have a second Trump term, I think protests and demonstrations will also be part of the sort of political landscape in this country. And journalists need to be there to perform their essential role. So that is an area that is of deep concern to me.

ELZAS: So are you saying though, that journalists just don't have the protection, or is the legal framework there, but it's not being respected, and nobody's enforcing it?

SIMON: Both. So, you know, under the First Amendment, journalists have the same right as protesters to be present when demonstrations take place, and to document the activities of police. The law is very clear on these rights. But there's a second area where the law is a little less clear, and that's when the police issue curfews, or legal dispersal orders. And there, the First Amendment right of journalists to remain present, has really not been adjudicated. It's been a kind of norm and practice that journalists are allowed to remain. But we've seen so many instances in which the police appear to be targeting journalists deliberately in these circumstances, and the ability of journalists to cover these events is curtailed.

ELZAS: How are media, individual journalists, and media institutions in general navigating this?

SIMON: I think if you look across the United States and you look at the kind of, sort of environment in which the media is operating, it's very different than it was even five years ago. So in a lot of secondary media markets, the kind of newspaper, if you will, that used to cover these communities has collapsed. And if it's been replaced, it might have been replaced by a smaller non-profit media outlet that is trying to cover a whole city with four or five reporters. They don't have the same relationships with
the police. They don't have security teams. They don't have general counsels. So, they're kind of winging it. Larger news organizations, you know, that have these resources are starting to, like, address this and plan for this and, when appropriate, taking legal action to defend their journalists or pursuing legal action when their rights are violated. I don't think that news organizations in smaller cities and smaller markets are planning for this or are fully prepared. I think that larger media outlets have better training, more, better equipment, better protocols. Outside of a handful of larger media organizations, I would say, you know, most journalists in the United States are unprepared for these kinds of assignments.

ELZAS: So what needs to happen for everybody to be prepared? Is it changing the laws? Is it just more resources? What would you say are solutions?

SIMON: I think it's, you know, it's a multifaceted effort. I mean, I think we need to, you know, the larger media organizations with resources need to more actively engage in this issue, and they need to do several things. I mean, they need to litigate where appropriate and where rights are violated and be prepared to do that. I see some of that happening and actually, I should point out, there have been some important legal victories. There's even a new law in California that actually clarifies that police have the responsibility to ensure that journalists are able to cover protests and demonstrations, and that they have an obligation to allow them to stay on the scene when there's a dispersal order or a curfew. So, there is some progress in the legal arena, but it's scattered and not systematic. The second thing I think is that, you know, larger news organizations need to provide more training and more support for journalists who are kind of out there on the streets or going to be out there on the streets including, you know, appropriate equipment and safety protocols. For smaller news organizations, I think one thing that's really important as a best practice and I think we have to recognize that they're working in low-resourced environments. So, if we come up with a solution that requires lots of resources, like litigating or bringing on a general counsel, that's not realistic. But I think what they can do is more actively use risk assessments as a tool with every assignment to really sit down editors and reporters or even freelancers operating on their own and really assess what the risks are and train themselves on how to identify and manage risks and develop appropriate protocols and mitigation strategies to address them and build coalitions to defend these, these essential rights.

(Soundbite of music)

HESLOP: Historically, the press in the Americas is no stranger to fighting for freedom. Journalism has stood up to some of the worst abuses of power, with many heroic men and women of the profession leading the charge.

Of course, a terrible price has been paid along the way: hundreds of journalists' lives have been lost, creating a need for constant vigilance.

Many familiar challenges remain, with the latest iteration of populist leaders all too quick to deny human rights and attack those who defend them.

And journalists remain common targets, a theme that is only growing across South, Central and North America, especially in these difficult economic times.
But, as always, the profession resists, strengthened by a determination to tell the stories and expose the truths that matter.

(Soundbite of music)

For more resources about press freedom in the Americas and around the world, please visit the press-freedom section of the Wan-ifra website... that’s w-a-n-dash-i-f-r-a-dot-O-R-G...

Look for all the episodes on Spotify, Apple Podcasts, or wherever you get your podcasts.

Until next time, stay safe, and thanks for listening

The Backstory production team is Andrew Heslop, Mariona Sanz, Irene Abalo, Colette Davidson and Sarah Elzas, who edited and mixed the episode.