

DRONE JOURNALISM, TRYING TO FLY IN A LEGAL LANDSCAPE

MISSOURI'S PLACE IN SADDLEBRED HISTORY

A Project

presented to

the Faculty of the Graduate School

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Master of Arts

by

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Chapter 1: Introduction

I have been around horses my entire life; in fact I was actually riding before I was born. Horses have been a passion of mine for as long as I can remember, and I have incorporated that passion into other areas of my life. My intellectual and creative pursuits have often overlapped my involvement in the horse industry. My legal studies focused on working in equine law, while my main photographic interest is capturing images of the horse's physical beauty, personality, and connection with humans. My project combines my study of law and journalism, while centered on my passion for horses.

My professional analysis looks at how existing laws may affect the use of drones, or unmanned aerial vehicles, in journalism. I have had an introduction to flying and operating drones myself and hope to incorporate those tools into my own journalistic story telling in the future. This analysis combined my interest in using drones to capture visual footage in a journalistic pursuit with my law degree. I think drones will become a valuable part of journalistic story telling, and journalists should be aware of what legal implications they may face (beyond federal regulations) when flying a drone, especially those regarding privacy.

The visual story part of my project delves into the rich history of American Saddlebred horses in mid-Missouri. I chose to tell this story because I have had a life-long passion for horses and would enjoy having a career focused on photographing horses, such as for an equine magazine publication. I created a multimedia piece for my story, including video and audio with photographs. I

chose to create a video piece to help show how a Saddlebred moves (the breed's unique gaits) and to work in a medium in which I am still developing skills, but that I find to be a valuable storytelling tool both personally and in the journalistic profession.

Delving into the historic story of Saddlebred horses was particularly interesting for me as that was a breed I previously did not have much contact with in my equine pursuits. Shortly before starting working on this portion of my project I actually began taking Saddle Seat lessons and have now ridden several Saddlebred horses myself. I even had the opportunity to ride a five-gaited Saddlebred and rack for the first time. It was fun interacting with and riding Saddlebred horses while delving into the history of the breed. If I had not been located in mid-Missouri, I might not have learned about the rich history of this American made breed or ever ridden a Saddlebred horse. This project expanded my involvement and knowledge of the equine industry, as well as my journalistic knowledge and skills.

Chapter 2: Weekly Field Notes

Week 1

This week I started work on my Masters Project. While I am excited to begin my final project in grad school, and learn more about an aspect of the horse industry I am not already familiar with, I have gotten off to a slow start.

My project is covering the Saddle Horse industry in mid-Missouri. I will be finding sources to provide a historical overview of the industry, as well as modern day use and contemporary issues surrounding Saddle Horses. I will also include profiles on specific individuals.

While waiting to meet with sources, I began collecting historical information as a baseline when conducting interviews. This consisted of online searches, as well as reading books with information about the people and/or horses important in the industry. There is a rich history surrounding Saddlebreds and other Saddle Horses in mid-Missouri, from champion horses that are important to current breed bloodlines to influential individuals who helped shape the industry.

I started my research by meeting with Pat Smith, who provided me with names of historical and current individuals important in the industry, along with the names of farms (training and breeding operations) that were also important to the development of Saddle Horses in mid-Missouri. Smith also pointed me to individuals using Saddle Horses now for uses other than Saddle Seat Equitation, the style of riding for which Saddle Horses have primarily been used for, along

with driving in fine harness. Such individuals will provide a perspective on the current use of Saddle Horses and their versatility beyond their historical use. At this time, I am thinking Smith will primarily serve as a contact for other individuals with closer connections to the Saddle Horse industry.

The second source I approached was Janet Thompson, who has an interest in the history of Saddle Horses, as well as showing her own Saddlebreds. Thompson provided me with a wealth of information and additional people to contact. Our conversation provided me with a framework of how individuals, both historically and currently, are connected in the Saddle Horse industry. It also became apparent how mid-Missouri has helped shaped both the industry and saddle horse breeds into what they are today. Thompson also pointed me in the direction of historical documents, photos, and other memorabilia relevant to the Saddle Horse industry and the prominent people who helped shape it. I am excited to delve into the information provided, although I am unsure of where to start within it all. Thompson provided me with great information about people I should contact, but also had interesting personal comments about the industry. I may come back to interview her more formally after I've gathered additional information.

Next week, I will start by mapping out the information I already have and possibly drafting a timeline of important people. I will contact new sources and set up times for interviews and/or spend time at functioning Saddle Horse barns to get a feel for the current industry. In any down time between contacting and meeting sources, I will also be working on the professional analysis portion of my

project (as I did this week).

I am a little overwhelmed by the wealth of information that is available, but I believe I will enjoy the work once I find an area to start with and expand the story from there. I have been around horses all my life, but have not had much exposure to the Saddle Horse industry. I am excited to learn about a new aspect of the horse world, especially one with such a rich history.

Week 2

This week was not quite what I had originally planned, but I was able to conduct quite a bit of background research. This actually helped me narrow down my story ideas/focus and begin to develop some questions for future interviews. I had hoped to reach out to a source or two, and begin meeting more individuals. However, I got sick early in the week and was limited to staying home. I used that time to review notes from my previous interviews, as well as read chapters pertinent to the Saddle Horse industry in a book with a wealth of historical knowledge, *Missouri Horses* by Joan Gilbert.

Although the events of the week weren't exactly what I had hoped for, I believe it was actually a good thing that I was forced to slow down. The book contains great information about important historical people and horses in the mid-Missouri Saddle Horse industry. That information, coupled with what I had gathered in the first two interviews, helped me separate historical moments and gave a better idea of how important people (both historical and current) are interconnected. Conducting this research was a fun experience and brought to

light just how important Missouri was in helping develop the Saddlebred breed and the riding style of Saddle Seat Equitation.

I also learned about a Saddlebred Museum in Mexico, Missouri that I will contact and visit in the future to speak with additional knowledgeable individuals and photograph historical items. Simmons Stables, also in Mexico, MO, was an important part of Saddle Horse history. A group worked to restore and preserve that history rather than letting the stable building be demolished.

There is a wealth of knowledge available to explore in the mid-Missouri area, including people with connections to Saddle Horse history. I am excited to reach out and meet such people, now that I have a solid understanding of the history to develop my approach in my final project. I have several ideas of how to structure/focus my project under the overall purpose of providing an overview of the history of Saddle Horses in mid-Missouri and a contemporary view of how these horses are used.

I envision developing sections within the project to focus on different aspects of the Saddle Horse industry in mid-Missouri. One section may cover important barns and facilities. There were numerous historically important facilities ranging from schools, to breeding stables, to show stables. Some of these facilities are still in operation and important to the industry today, such as the Stephens College riding program. Most of these facilities are also associated with important individuals in the industry. This leads to another section to profile individuals within the industry, both those historically important and those continuing to shape the industry now.

Another idea is to profile some of the famous Missouri Saddle Horses by interviewing people who knew them and/or can explain their importance, including historical photos of the horses and photographing monuments honoring them around mid-Missouri. Finally, I think an explanatory section would be valuable for those who are not familiar with the industry. This may be its own section or included in another. It would explain and demonstrate the different types of Saddle Horses, the classes held at shows (historically and now), and the different styles of riding and gaits particular to Saddle Horses.

I'm glad I had this week to better develop my personal understanding of the history of the Saddle Horse industry before talking to more sources. The information will help me form pertinent questions and better develop the story. It will also help me realize important information when brought up in discussions, so I will be less likely to miss an important avenue to follow up on when talking to a source. Now I'm excited to start meeting and photographing people (and horses).

Week 3

This week has, for the most part, been a waiting game. I contacted new sources, but both were unable to meet this week. I felt more nervous calling them than expected. Usually, I have met new sources in person rather than trying to explain myself in a phone call, which may have caused the nervousness I felt. Fortunately, I was able to get my point across by phone, and both sources are willing to meet with me. Additionally, I think things will go well when I meet

them in person, as I believe I will feel more relaxed since I won't be trying to explain everything in a phone message or a brief call.

I am waiting for one source, Rhonda Mikiska, to call back after she goes through her family's historical items. Mikiska is the daughter of Fern Palmer Bittner, an influential and important contributor in the Saddle Horse industry. The Palmer family was also very influential in breeding Saddlebred horses. Unfortunately, Bittner passed away several of years ago. Mikiska is willing to allow me access to photograph the historical items in her possession; however, she was hesitant about being interviewed herself. I am hopeful that she will be more willing to share what she knows when we meet in person.

I also reached out to B. Benner, currently involved in the Saddle Horse industry with her own stable specializing in Saddlebreds and Saddle Seat Equitation. She asked me to call again on Monday as she had a full schedule this week. Benner will be a good source to discuss the current Saddle Horse industry as she is immersed in the Saddle Horse world of breeding, training, and showing Saddlebreds, along with giving riding lessons to new generations. It will also be beneficial to view a successful, working stable focused on this industry to provide a setting for my project.

After contacting these sources, I spent my time developing interview questions and working on the professional analysis part of my project. I found some new articles pertinent to my analysis component that I started reviewing. Some articles were not quite on topic, while others should provide useful information and new research avenues to explore.

Overall, this week felt a little slow, even though it was productive. I am anxious to start delving deeper into my project by meeting more people in person and photographing the industry, both through historical items and a currently operating stable.

Week 4

This week was not as productive as I wanted it to be, which was frustrating. I'm struggling with how to structure the various aspects of my project, including my approach to reaching sources and how my analysis component should be written. I stepped back from things and reassessed the information I do have.

Going back through the analysis guidelines helped me reevaluate how to approach that portion of my project. I also found several new sources of information to utilize. Although confused earlier, the week ended with a better idea of how to approach my analysis. I now feel that I can be more productive going forward.

Reaching sources has also been a frustrating process this week. I followed up with Brenda Benner, but we were not able to set a time to meet. I also had incorrect contact information for a new source, so I will have to find the proper information. Ultimately, I was expecting to have more success in meeting with sources, which added to my frustration. Although I did make some headway, I think I need a better approach to reaching sources. Initially, I was focused on

reaching out to several sources and proceeding with them before moving on to others. However, I am finding that scheduling is not making that feasible.

Previously, I was thinking of waiting before going to the Saddlebred Museum in Mexico, MO, with the intent that I could talk to someone there to fill holes in the history I receive from other sources. Now, I am planning to reach out to the museum sooner as they may have someone who can speak with me and give more of a historical overview. I can fill in details from personal accounts later. It may also be helpful to tour the museum and see the historical items on display there. I have learned a lot about the rich Saddle Horse history in mid-Missouri from reading books and online sources, but visiting the museum may bring more information to light while also visually portraying what I have read. It may also lead to other sources I can reach out to.

Overall, I feel like this week was tough, and I didn't achieve a lot of progress on either aspect of my project. I do think that struggle has helped me redefine my approach, and I'm hopeful next week will be more fruitful and productive.

Week 5

I'm a little late with my post this week because this it was not as productive as I wanted and left me feeling frustrated. I took some time to seek advice and process how things went before writing this post.

I am still having trouble getting in contact with sources (that I previously contacted, as well as new ones) and having them call me back. Last week, I

seemed to be trapped in a waiting game. It has been challenging to explain myself over the phone as I would be more comfortable explaining myself in person. I contacted my committee chair, Professor Rees. He suggested I go to locations in person, whether my source can meet with me or not. I was considering such an approach, as I think I would also feel more comfortable, so it was helpful to have that suggestion echo what I was thinking.

Professor Rees also mentioned that it does typically take longer into the project to get out and do more of the hands-on photography work. I'm glad to hear that is normally the case, as part of my frustration came from feeling I should be further along than I am. There is also some pressure as this is my final project in grad school to complete my degree. I want to present a good final product because I am interested in the subject and want to do my best. However, that pressure is also a motivator once I can move past the frustration.

It is encouraging to hear that where I am in my project work is typical. Knowing that I am not as behind as I felt will spur on the motivation again. I also have new tactics for reaching sources this week, along with reviewing my notes for new sources to contact. I am optimistic that this week will be more productive in terms of reaching sources, and I will be able to develop my project more fully as I progress.

Week 6

This was a very productive week. After the previous weeks where things were going rather slowly, this week has helped me feel like my project is getting

on the right track. I reached out to several new sources through different channels and many responded. I am excited to have two scheduled interview/meeting times for this coming week, and more could possibly be added once I hear back from a few sources.

I did contact Brenda Benner and Rhonda Mikiska again. Benner and I are still having a difficult time in connecting. I'm not sure things will work out to use Benner as a source. I will continue to attempt to keep in touch with her, but I may focus on other sources first as it seems some of them will be more accessible sooner. Mikiska and I spoke by phone again, and have scheduled to meet on Sunday, Feb. 26th. We need to finalize our meeting time and location, but I am excited that we were able to find a date to meet. Mikiska's family was involved in the Saddlebred industry for many years and has maintained a personal collection of historical items. In particular, Mikiska mentioned she would try to bring lineage charts of well-known Saddlebreds depicting the ancestry of numerous generations for me to photograph. I am excited to see these charts as they may provide an important historical record of some of Missouri's famous Saddlebreds.

I was also able to contact several new sources, many of whom supplied prompt replies. I arranged a meeting with two sources this week and look forward to getting out in the field to take photographs. First, I contacted the Audrain County Historical Society, which oversees the American Saddlebred Horse Museum. They put me in contact with the museum's director, Tom Usnick. So far, Usnick and I have been playing phone tag, but he sounds agreeable and open to meeting and providing information and access to historical items in the

museum. I feel confident that this source, Mr. Usnick and the museum, will provide me with a wealth of historical knowledge that I can incorporate and expand upon in my project.

The museum is located in Mexico, MO, which is also home to Simmons Stable. This stable is historically significant in the Saddle Horse industry as it was once home to the operation of well-known Saddlebred trainer, Art Simmons. The stable was built in 1887, according to the International Saddlebred Hall of Fame website, and was continuously in use for boarding and training Saddlebred horses until 2001. After the building started deteriorating, a group of interested citizens stepped in to preserve the stable. I got in touch with that group and have a meeting scheduled for Tuesday. This connection should provide a wider view of the Saddle Horse industry, leading from the historical significance to the support the industry still has for that history, and maintaining an interest in Saddlebred horses today. I am looking forward to meeting with B. Wilson and others involved with preserving Simmons Stable. Mrs. Wilson has also offered to introduce me to Jimmy Simmons, the son of Art Simmons, who still trains Saddlebreds himself near that area.

I believe both of these sources will provide a wealth of historical knowledge along with avenues that will lead to the contemporary use of Saddle Horses. This connection may even allow me to speak to people who can discuss how the industry has changed and/or stayed the same because they have both historical and current knowledge and experience in the industry.

A friend also introduced me to another trainer/instructor in the Saddlebred industry, Kate Coup. We are finalizing plans to meet this Friday. I think the timing will be good, as it will allow me to view and interact with individuals at a contemporary Saddle Horse operation shortly after delving into the history. Such experiences close together may help me recognize similarities and differences. I also think Coup will be able to provide a different perspective than other sources considered or contacted so far. From her facility website, it appears that she has had experience in different areas of the equine world. Although not completely sure of Coup's background, I will ask about what led her to training Saddlebreds and instructing riders in Saddle Seat.

Finally, there are additional sources I will reach out to shortly. Pat Smith introduced me through email to K. Mueller. Mueller will likely provide a younger take on the industry, but she is also the barn manager at a historically important Saddlebred barn. I also contacted David Mars, who is going to help me reach Lynn Frazee (daughter of Alice Thompson). Frazee currently works with Saddlebreds and her family has important historical connections within the industry.

Overall, this week was very productive and I was able to make a lot of good connections. I am pleased by the progress made in reaching sources and am excited to start meeting these sources. I have been immersed in the written history for a while, and look forward to speaking with people, taking photographs, and interacting with individuals devoted to the industry I am exploring.

Week 7

I had two successful visits/interviews this week and am excited to be meeting so many people who are passionate about Saddlebreds, their history, and their continued value in our society.



I first traveled to Mexico, Missouri to visit Simmons Stables and the American Saddlebred Horse Museum. I met several people involved with the preservation of Simmons Stables who shared a lot of information with me. I also took photos of the historic building. I plan to return after I review the information provided, to ask follow-up questions and put together a view of the building's history. I chatted with several of the stable's preservation society members, but they were hesitant to conduct a more formal interview during the meeting. My plan is to conduct a formal interview once I've reviewed the information

provided, so I can give them a better idea of what I am looking for and help them feel more comfortable speaking about what they know.

I also visited the American Saddlebred Horse Museum with curator Tom Usnick. I enjoyed seeing the historic items on display, including a large collection of ribbons won by Tom Bass during his career. The museum also has a library with various old books and magazines on the industry that I may explore at another time to get an idea of how historic moments were represented at the time they occurred (possibly before people realized their future importance). The museum library also has VHS tapes that appeared to have recordings of Saddlebred shows from the late 80s and early 90s. It would be interesting to watch some of those recordings and possibly incorporate them in my project.

Mr. Usnick was a very valuable guide and contact because he worked as a groom in Simmons Stables in his youth for the famous trainer Art Simmons. We spoke a lot during my visit, but he didn't feel comfortable conducting an interview during this trip. Speaking to him before I left for the day, although it seemed he was not interested in a formal interview, he may be willing to recount stories of his time involved in the history of Saddlebreds in mid-Missouri. He had numerous stories about his time as a groom, and I am hopeful that he will share them during my next visit on video and/or audio. Based on my exploration of the history so far, there is a wealth of information available to track down, but there aren't many personal stories that can be told as memories have become lost to history. I would definitely like to focus aspects of my project on such personal

stories and recollections to preserve and share those memories, as well as add that personal aspect to the overall project.



My short tour in Mexico, MO ended with a visit to the graves of the famous stallion, Rex McDonald and famous trainer Tom Bass. It was nice to see the gravesites (in different locations, but still close) of two key historical figures noted and preserved. Their gravestones were actually fairly similar and it was

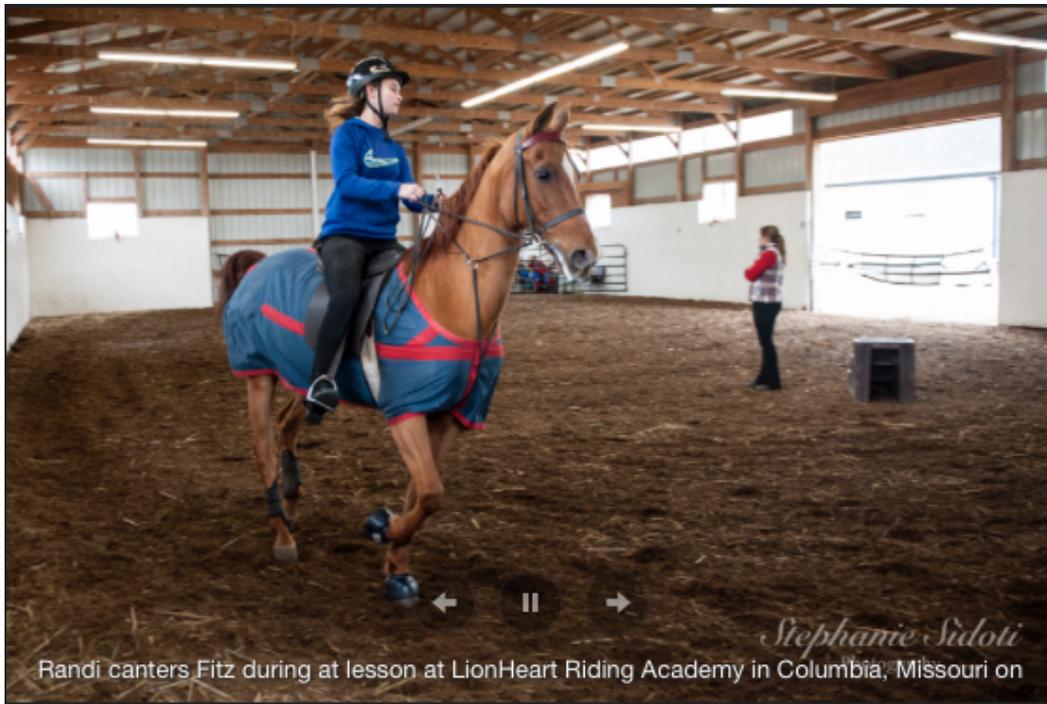
interesting to see those similarities, along with the importance they both still hold with those familiar with Saddlebred history.



Later in the week, I met with Kate Coup at LionHeart Riding Academy in Columbia. She is a third generation horseperson and operates a riding facility with Saddlebreds at the core of the riding. She provided me with a wealth of information, far beyond what I expected. I knew she had a background with horses but was unaware of her family connection with Saddlebreds until I spoke with her. It was definitely interesting speaking with her as she provided me with historical information, as well as her perception on the current use of Saddlebreds and the Saddle Horse industry. As an operational riding school, I also had the opportunity to photograph and video a riding lesson at LionHeart. I will return to LionHeart to take more photos/video of Ms. Coup's retired show horse performing with the attitude of a show horse and displaying the gaits (the slow

gait and the rack) that are unique to five-gaited Saddlebreds. I would also like to view historic photos and other items that Coup has from her family's past involvement in the industry. Her mother owned the full brother to the famous Saddlebred stallion, Will Shriver, which I thought was an interesting find.





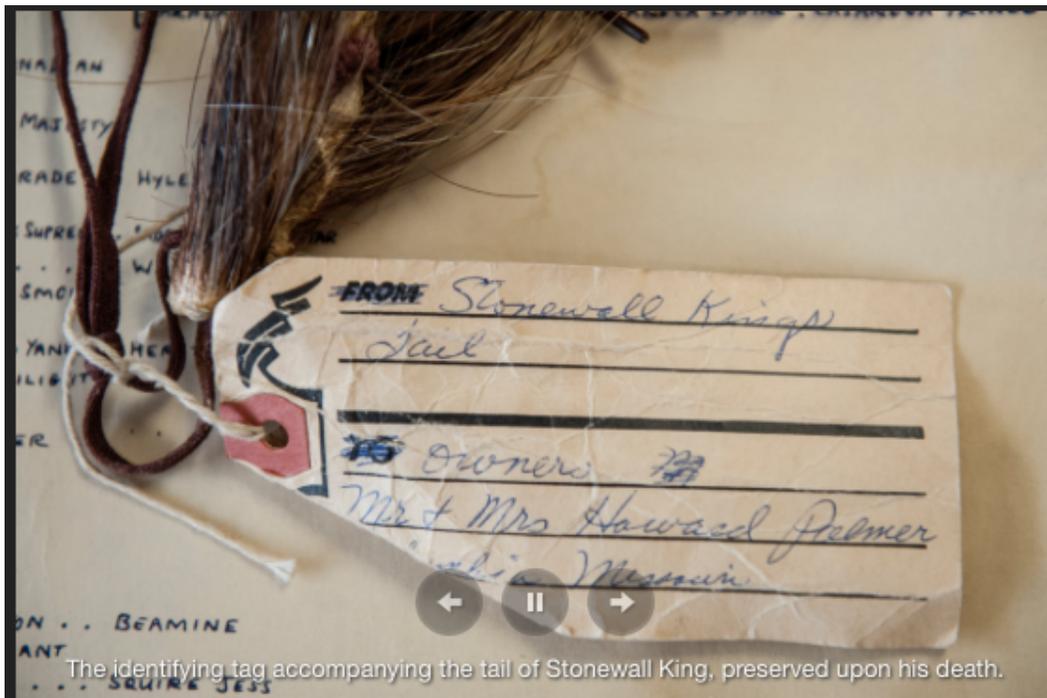
As I become more involved in my research and have the opportunity to speak with more people, it is interesting to see how people are connected throughout history with the Saddle Horse industry and the great historic horses and trainers.

Week 8

I didn't spend as much time on my Masters Project this week as I was working as the Photo Team Coordinator for the True/False Film Festival, which was a whirlwind of activity.

However, I did meet with Rhonda Mikiska on Sunday, February 26. I met her at a halfway point between her home and Columbia per her request. She brought various historic items with significance to the Saddlebred industry and history in mid-Missouri. Her mother was Fern Palmer Bittner, daughter of well-

known Saddlebred breeder Henry Palmer. She was important in the industry in her own right as director of the riding program at Lindenwood University for a time and then serving as a judge and show manager. The Palmer family also has historic ties to the famous Saddlebred stallion, Stonewall King.



The identifying tag accompanying the tail of Stonewall King, preserved upon his death.

Unfortunately, Mrs. Bittner did not pass on a lot of information to her daughter. While, Ms. Mikiska is aware of her mother's importance, as well as the importance of the Palmer family, in the industry, she does not have a lot of information to share. I was hoping to gather some of that personal knowledge from Mikiska, but it appears such information and memories were lost when her mother passed on.

The family does still have possession of some interesting and historically significant artifacts, which I was able to photograph on the 26th. It wasn't the best situation for taking photos (we met at a restaurant), but I did my best. There may

also be a future opportunity to meet with Mikiska again at her own home, but I'm not sure when that may be arranged. Mikiska also let me borrow some old book volumes on important Saddlebred horses that I will explore. The photos I took of the historical artifacts could be used when speaking with other people to prompt their own memories.



A larger image of the genealogy presentation of various breeds of horses, including the Saddlebred, tracing back to the original Darley Arabian in 1701.



A historic image of a horse-drawn carriage in Columbia, MO on Broadway. Mikiska thought the image may depict Saddlebreds (although she also said they didn't look like prime examples of the breed), but she did not know the year the photo was taken. I thought this was an interesting image, but I will have to do more research to see how, or if, it connects to my project.

Weeks 9 and 10

I was most of the way through week 9 when I realized I forgot to make a post for week 8. There have been other things going on that drew some of my attention away from my project and limited my availability to meet with sources. I primarily worked on editing footage and photos for week 8, along with going through sources for my research portion.

In week 9, I was able to meet with a new source, Alice Thompson. Thompson was involved in the Saddlebred industry as an instructor, trainer, breeder, and rider. At age 95, she has numerous stories to tell about horses and people she knew and worked with throughout the years. It was a lot of fun to talk

with her, although she didn't always stay focused. I did a video interview with her, although I'm not sure how well it turned out as she moved around a lot and there was medical equipment continually making noise on one side of the room. However, she had so many great stories to tell, and it was fascinating to listen and watch her get involved in the story she was telling.

Based on my experiences with other sources and my interview with Thompson, I may base my future interviews around having the subject tell me stories about their memories and involvement in the Saddle Horse industry. Approaching it this way would help alleviate the previous hesitation some sources have had to being interviewed.

Week 11

I was delayed in working on my Masters Project; however, I am getting back into the swing now. I continued work on smaller aspects over the past month, but wasn't able to spend as much time as needed or wanted on my project. I am glad to be getting back to work more consistently.

I attended the 130th anniversary celebration of Simmons Stables in Mexico, MO on June 3, 2017. This was a nice opportunity to photograph the barn full of people, especially people immersed in the Saddlebred industry past and present. I took photos and video throughout the event, including footage of the International Saddlebred Hall of Fame inductees, who related stories about their careers in the Saddlebred industry. I was also introduced to several inductees and individuals connected to the industry. It was interesting to hear the stories of

personal experiences in the industry told at the event, as well as memories about influential individuals and horses. I plan to connect with two of the inductees, Jim Simmons and Don Harris, to incorporate more of their stories and memories into my project.

In addition to attending the anniversary celebration, I have been going through other sources collected during my research. One interesting source was a pageant script written by Alice Thompson called “The Horse America Made.” This script presents the history of Saddlebreds in Missouri, along with descriptions of the breed, its unique gaits, and other information. The script could prove to be a useful tool in developing the narrative structure of my project. It could even be interesting to use the script itself as that structure, and incorporate that element of history as the base of my own narrative.

Week 12

I focused my efforts on going through footage in more detail this week. I definitely needed to return to what I had shot already to evaluate it and make notes on what I still need to gather, whether visuals or more information. I am ready to start piecing aspects together, although I also think there is still more I can incorporate into my project.

I'm including three short, very rough draft versions, of audio and visuals I put together from my interview with Katie Coup of LionHeart Riding Academy. These are still very early stage rough drafts, so the audio hasn't been fully reviewed and I mainly used placeholder visuals.



The start of the editing process is always a bit slow for me, as I need time to process footage when I go through it. However, I have also found that I rather enjoy editing video/multimedia as the piece starts coming together. I am looking forward analyzing other footage and start piecing together the story of Saddlebred horses in mid-Missouri.

Week 13

I have been reviewing prior footage and information I gathered in order to get a better overall understanding of what I have, what I need to follow up with, and what I may still need to get. I completed going through the information gathered from one source in particular and created a list of follow up questions, what historic photos she could still provide me with, and what additional footage I would like to get with her.

I also started going through the audio/video from my interview with Alice Thompson. In what I have reviewed so far, I think it may be challenging to incorporate the video, but I am hopeful that I will be able to include audio of a story or two. There is such a wealth of information and history to be passed on from her experiences and memories. I may need to visit her again in order to best represent her portion of the Saddlebred history/story.

I will admit to struggling a little to spend enough time going through footage and working on the written portion of my Project. I am still excited by the prospect of where the story can go, but feel I'm not spending as much time on my project as I would like. I know part of that requires me to make the time to work on my project, but I also have other responsibilities to balance with my project work. I am eager to move forward toward the final presentation, but I am also comfortable taking my time to make sure I tell the story well. I am also trying to decide what I may still need to incorporate into my project. I think there will be a balance to include enough information to tell the story versus too many details

depending on the audience. Thus, I may also need to reevaluate and focus more on what my intended audience should be.

I reached out to a new source this week, and I think he will provide good insight into the history of Saddlebreds. He has a wider reach than mid-Missouri both historically and currently (he is actually located in KY). The stories/memories he has will be important to at least consider, as well as record for future generations. It was good timing, as I will be traveling to Kentucky this coming week, and I look forward to hearing what he has to share and how I may incorporate it into my project.

Week 14

This was an interesting week of work on my project. I was already traveling to Kentucky and was able to arrange a meeting with a Kentucky resident who has been immersed in the Saddlebred industry most of his life. Don Harris is an accomplished trainer and rider in the Saddlebred industry. I met him at the Simmons Stables 130th anniversary celebration and International Saddlebred Hall of Fame induction. We were able to arrange a meeting at his home in Kentucky, and I spent some time interviewing him. Most of what he had to share was not explicitly related to Missouri, but he had numerous interesting stories and memories to share (including his relationship with well-respected Missouri breeder and trainer Art Simmons) along with insight about the industry. While he may not have been directly related to Missouri, which is the focus of my project, his interview revealed some of the connections Missouri had to the rest of the

Saddlebred industry. It was nice meeting with Mr. Harris and hearing his memories about riding and showing Saddlebreds. His stories provided further insight and context for the other interviews and research I have conducted.

I also spent more time going through footage I had already collected, as well as reaching out to follow-up with a source I previously met. Finally, I started typing the pageant script written by Alice Thompson about “The Horse America Made.” I think the script may provide a structure for the final presentation of my project. It gives a good overview of the development of the breed and the importance of Missouri, so it prompts ideas for what visual footage to incorporate in my project that I may have already or may still need to get.

Overall, I think this was a productive week. I had less outside responsibilities and was able to focus more on my project. Having that additional time allowed me to focus better and edit more in depth what I’ve already gathered, so I feel I’m progressing better toward the final product.

Week 15

I followed up with a source (Kate Coup) and took photos and video of her retired show horse performing under saddle, including the gaits unique to Saddlebreds. I also had the opportunity to speak with her mother, who was involved in the industry herself. It was nice to get another perspective on where the industry has come from and where it may be going, as well as watch the show horse perform. Coup gave me contact info for another potential source with a connection to the Saddle Horse industry, both past and present. At this time I have

chosen not to reach out to this new source because I have a wealth of information already that I need to evaluate and process before reaching out to a new source.

In terms of editing and processing information and footage, I have felt a little overwhelmed. This has in turn made it challenging to really get into the editing process. However, I have now gone through all the interview footage I took (as well as reviewed what I already evaluated earlier), and I am ready to start piecing everything together. Developing a framework to tell the story has also been challenging. I had the idea of using a pageant script by Alice Thompson as a skeleton in which I would add interview information where appropriate. The issue here is that I need audio of someone reading the script. I would like to have someone in the industry 'voice' it and plan to reach out to Thompson's daughter (who also has a connection to the industry). I actually have audio of Thompson reading the opening line that I would like to use (especially as she is the original author), and incorporating her daughter for the rest would be most fitting.

I would like to create a multimedia as the primary component for presentation. However, a text article, with photos, may be necessary to cover more detail that wasn't presented, or wasn't presented well, in the interviews. Within the text portion I may also embed additional stories from interviews that may not make it into the video. Everyone I spoke to had numerous personal stories to tell which I think are important to document, preserve, and present for others, but may not fit well into the frame of the video's story (history into contemporary use).

At this point I feel there are still a lot of unknowns, possibly more than I am completely comfortable with. However, I need to start moving toward the ‘finish line,’ otherwise I will continue feeling overwhelmed by the wealth of information. It may turn out that I develop a story presentation with what I have now and then continue working on this as a personal project into the future. I know there are more people who would provide valuable information and stories that should be preserved and shared.

Here is what I have as a potential opening so far, with my critique of what I may change below it.



<https://www.youtube.com/watch?v=UVQwMS780NQ&feature=youtu.be>

First, I don't know how I feel about the script opening as the first image. It isn't very powerful and then I think there is too much time spent on the text. Unfortunately, Thompson was moving around during the time she was opening and then reading the script so I don't have great footage of her opening the script.

It may be better to start with an image of a Saddlebred horse. I don't know if having the cover of the script booklet makes it appear that is the video title and that Thompson is the creator (which she is with regard to the script, but not the video).

Second, the video footage of the horse is actually slowed down, and I'm not sure whether I like the effect or not. The horse is racking there, which is a fast gait. I initially thought slowing the footage down would allow the viewer to better see what the gait looks like and see the horse longer. If I leave it in slow motion I would definitely include a normal time video of the rack later; however, I'm not sure whether I should do that. I don't want people to get the wrong perception of the speed the horse moves at.

Third, I will add audio behind the video of the horse. I thought about leaving the original audio or the horse moving, but then the audio wouldn't match the movement of the slowed down horse (maybe that's a reason not to slow it down) and it doesn't sound good slowed down. I have heard that live organ music is often a part of shows, which would make lively and appropriate opening audio. However, the next show I could find is at the end of September, and I have no guarantee there will be an organ. I was also going to introduce the next part of spoken audio (either the script reading or an interview), but not immediately at the beginning of the clip of the horse so there would still be air to fill.

Overall, I think the opening I've drafted is a little more artistic than journalistic and there are aspects I'm not sure I like completely. But I do love the opening audio and would love to have that be the start of the story presentation.

Week 16

This week I followed up with some sources and met with the daughter of Alice Thompson to record audio of her reading part of the pageant script (written by her mother) that I would like to use in my video. I also received a VHS tape to borrow with footage of Alice Thompson riding Callaway's Born to Win about 10 years ago. I recorded some footage of the video playing on a TV screen, but I would also like to get it transferred to a digital format so I can incorporate the original footage into my project. It has some very nice footage, showing the retired show gelding racking and slow gaiting. This follow-up meeting was the most important project advancement this week, although I continued editing footage and working on my paper portion of my project.

Week 17

I honestly didn't get a lot done on my project this week as I was photographing the solar eclipse and doing related video work for my part time job that included follow-up editing after the eclipse. However, I did meet again with Lynn Frazee and re-recorded the audio of the pageant script reading without the noisy cicadas that were present during the first recording. Now that I have a better recording, I think the editing process will move along faster as I can use the script audio as an outline on which to structure the rest of my footage and interviews.

Week 18

I was able to get work done on the video portion of my project this week. Having the clear audio of the script helped provide the structure I was struggling with previously. While working through editing images/video clips into the structure, I found some areas where I am missing a particular image or a better historical photo, so I am making notes as to what I am looking for to later contact the museum to see if they have the historic images I may be missing.

Filling in images with the script is going well, but I am also reviewing my interview footage and evaluating where it may fit into the story the script is telling. I am glad my project is starting to progress better as it has felt like a waiting game as I tried to get the audio I needed. There are other aspects I have been working on besides the video portion, but I am excited that I have most of what I need for the video and I can really delve into the editing process now. I enjoy video editing once I have the story structure in place. The video portion will be my focus this coming week, but I also want to start working on the supporting aspects for the video (which will likely be a written piece with additional visuals). I plan to have an audio/video repository of personal stories from the interviews I conducted. This may or may not be directly incorporated into the overall project, but I definitely feel the stories should be presented and preserved.

Week 19

I honestly didn't get as much completed as I wanted this week. I got a good section of editing done but was planning on doing more work. I primarily

focused on the video section about Tom Bass and feel I have a good section edited. There are photos I may replace or retake (returning to the museum to do so). I incorporated interview material into the narration as it provided additional information in a different format. Overall, I think the interview fits within the narration, but I may still move some aspects around. At this point, I think this section has a solid start, so I will move on to another section before returning for a fresh review later.



I interviewed a new source this week, a farrier specializing in Saddlebred horses. I'm not sure how his interview will fit into my project, but I think he provided useful information regarding misconceptions held by people outside of the Saddlebred industry. He spoke about the different practices between Saddlebreds and Tennessee Walking Horses. Lay people and individuals in other areas of the horse industry associate Saddlebreds (as gaited horses) with the soring practices that happen in the Walking Horse industry (another gaited breed).

Soring induces pain through a chemical process, and is used by some in the Walking Horse industry to make a horse accentuate certain gaits – which has led to an animal cruelty debate about the practice. Because both breeds are gaited and have high-lifting action to their movements, the negative practice of soring is associated with the Saddlebred industry where the practice does not occur. The farrier I spoke with shed some insight into this aspect, as well as explained some of the specific needs for shoeing a Saddlebred horse to balance timing, animation, and soundness.

Week 20

I worked on editing more video footage this week and got another video section done. I also went through the farrier footage in more detail. The farrier provided good information, but I think I will only include a smaller portion of his interview. He provided interesting insight into how shoeing Saddlebreds is different than shoeing other horse breeds. This information will tie into the section on the gaits of the Saddlebred and how the horses move. He also provided great information on the differences between Saddlebred shoeing and training practices versus those associated with soring a horse (which is a very controversial topic that includes Saddlebreds, even though the Saddlebred industry does not practice soring). I don't think I will include the soring discussion at this time because it is an issue that is more in depth and could warrant its own project in the future. I am not trying to steer away from the

controversial topic, but the fact that it is controversial means that it should be discussed in more detail than my current project is suited for.

Here is a clip of the section I edited this week on the characteristics of the American Saddlebred:



<https://www.youtube.com/watch?v=4Uy1pAygDLo&feature=youtu.be>

Week 21

I reviewed my interview footage again and developed a set of topics that could serve as video chapters. I also analyzed where such chapter topics from the interviews may fit into the pageant script that is outlining the structure of my video. The chapter topics I developed include: Where the industry is now and where it is going (this may include discussion of the other disciplines that Saddlebred horses work in other than the traditional saddle seat); Description of the gaits (including shoeing and training aspects); Breed characteristics and

disposition/temperament; Ties between Kentucky, the current Saddle Horse capital, and Missouri, the original Saddle Horse capital; Classes in shows; and Missouri History including Tom Bass (history may also include discussion of Art Simmons, Simmons Stables, Will Shriver, and Calloway Hills). I may wait to include some topics in Missouri history for now, as there is a lot more information that I haven't tapped into yet. At this stage I want to produce a well-developed project with the information I have, and then continue exploring more historic details in the future.

I had plans to continue editing, but I had things come up that I needed to address.

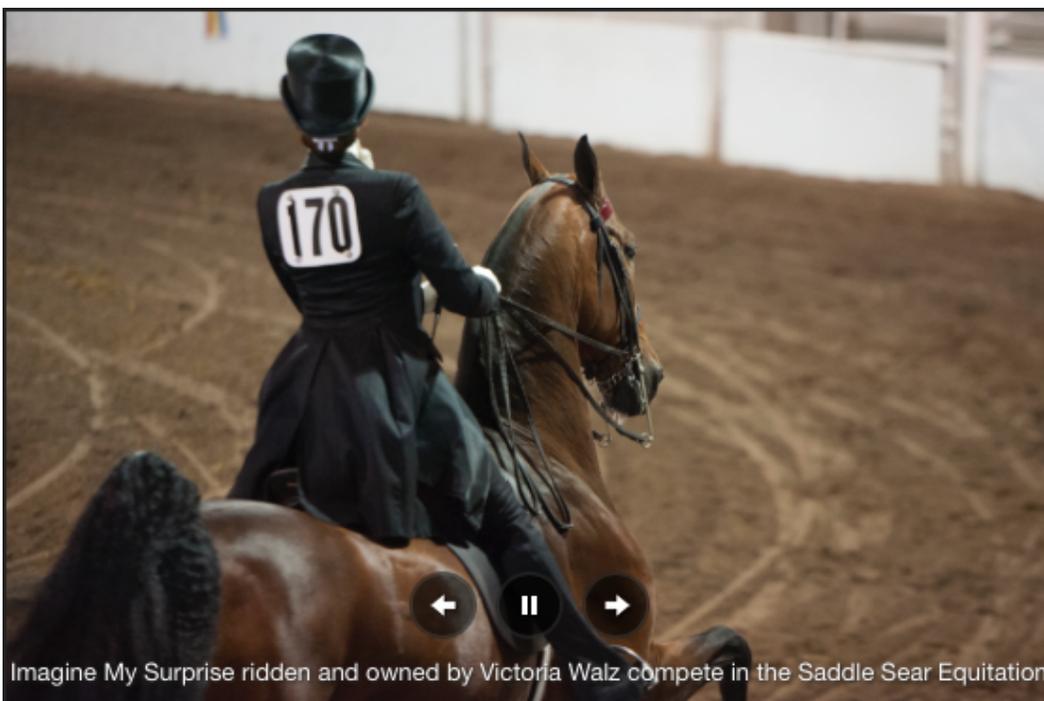
Week 22

This was a good week for editing the video portion of my project. I returned to a section I had edited previously and added interview footage on the temperament/disposition of a Saddlebred to the scripted portion, which discussed the physical characteristics of an ideal Saddlebred. I edited another section covering the gaits of the American Saddlebred. I included some of the interview footage from the farrier in this section, although I'm not sure how well it fits. I think I will edit the farrier footage more at the start of next week and then leave it for a while before reviewing it again. It is good information, but I'm not sure if it fit this section well at this point. This section will also be filled out with visuals from the horse show I attended Saturday evening.

I ended the week by attending the final night of the St. Louis National Charity Horse Show, which consisted of various Saddlebred classes including fine harness, parade, roadster horse, Western pleasure, and both three and five gaited championships classes. It was nice to get some show footage to round out the footage I already have. I think it will fit nicely in some areas of the video, as well as provide examples of the various classes and the characteristic gaits of the breed. I also enjoyed experiencing the show atmosphere. There were similarities and differences to other horse shows.



Allison Schuh hugs I'M Royalty Too after placing first in the ASB Five Gaited Amateur



Similar to other shows, the audience was excited to attend and applauded the winning horses in each class. However, there was also more participation outside the ring during the classes as trainers/coaches called suggestions to the

riders, and also called out and tapped on the metal poles at the top of the ring to get the horses to look alert. Having taken some saddle seat lessons myself I have learned that sometimes a person on the ground will help “step up” or “ground” a horse by using various tactics (such as cracking a whip to make noise, calling out, or even puffing out baby powder) to get the horse to have more energy and lift its legs a little higher. All of this is done without touching the horse, and is done to gain the horse’s attention. It was interesting to see some of this happening during the show. The audience will often be completely quiet until after a horse performs in other breed shows, depending on the class, so it was a slightly different experience to hear the calls and tapping on the arena poles during the classes.

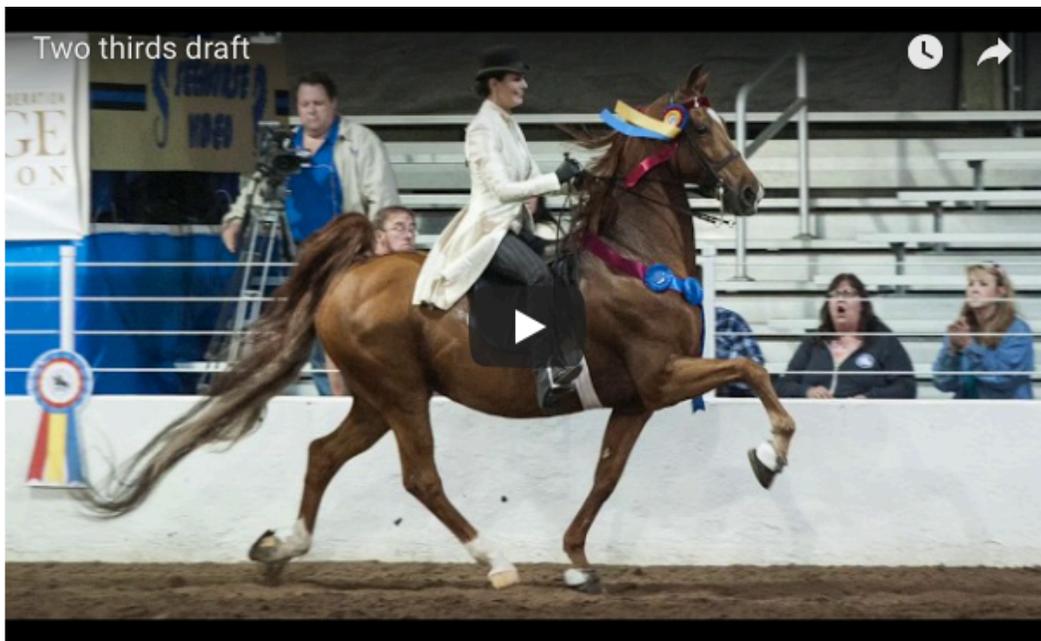
Another difference was the use of live music. They had a trumpet/horn and trombone players to announce classes and then used recorded popular songs instead of the live organ music. Traditionally, a live organ player performs throughout the classes and matches the music to the gait being performed. Unfortunately, the organ player at this show had gotten sick earlier in the week and wasn’t able to play for the Saturday evening classes.

I am glad I attended the show, as it was a fun experience and I was able to get some good photos and video footage to include in my project.

Week 23

I accomplished a lot in terms of editing this week, primarily in going through my video footage from the horse show and starting to put that footage into my video piece. I also worked out some details in my video, in terms of

minor edits to make the visuals flow better and adding text information about the image being shown (horse and rider names, etc.). Based on the timeline associated with the audio for my video, I have about two thirds completed with visuals added, which leaves the final third of the video that I need to add more visuals to the narration/interview audio. I am fairly confident I have the visuals needed; I just need more editing time. Based on this progress, I am fairly confident I can have a solid draft of the entire video portion completed in another week. Then I will likely shift focus to the paper portion and other pieces to incorporate in the online presentation format before returning to the video for another review and to finalize details.



<https://www.youtube.com/watch?v=8ikVQXSUiPs>

Week 24

I had other responsibilities this week, so I didn't get to spend as much time on my project as I would have liked. However, I did get a decent amount of editing done on the video portion. I primarily made smaller changes and updates throughout the video (such as making sure captions were consistent visually in font style, size, and presentation), and edited a smaller section at the end of the video. I have about 5 more minutes of audio (script and interview) where I haven't placed in the visuals yet, but I am very close to finishing the entire draft of the video. I was hoping to get this all filled in this week, but I wasn't able to meet that goal as other responsibilities came up. It is now a continuing goal for the upcoming week, along with returning to work on my paper.

Here is the ending clip I edited this week:



<https://www.youtube.com/watch?v=TFPnBh4YiaM&feature=youtu.be>

Week 25

It seems as I get closer to finishing other things pop up that also need my attention and distract me from working on my project. I did finish a final draft of the video portion after adding more visual footage to the audio and editing the audio toward the end of the video. Upon completing the video draft, I moved back to work on the paper portion. I have a good start on the paper, but still have quite a bit more to write. I plan to focus the start of next week on the paper, and then return to the video for a final review to look for any details to fill in.

Final video draft:



https://www.youtube.com/watch?v=dhW_MfLOStg

Week 26

I completed the various aspects of my project this week, and although I am nearing completing I know I want to continue working on this story and exploring areas of the history that I didn't get to in the project. There is such a wealth of

information available and there is more I would like to do with the information I have already gathered, but I am glad that I am finishing up a large portion of work.

Even though I am excited to be wrapping things up for my degree program, I am surprised at how close to the wire the finishing touches have come. I have always been diligent in my schoolwork and, while I worked diligently on this project as well, I feel like I should have accomplished more in the time I spent on this project. It has been interesting from a personal perspective to see how things shifted when I was no longer in classes and was instead balancing work on this project with other responsibilities and a part time job. At one point I had to decide whether to interview new sources or analyze the footage and information I had already acquired. I tend to be a perfectionist in my work, and I had to make some decisions while working on this project to take a step back from accomplishing everything I originally wanted to do. That may be part of being an adult, but I still plan to do more with this project and adding the presentation elements (website with text companion piece and audio story archive) I wanted to include earlier in the project that just have come about yet.

I am glad I am close to finishing my degree, but I am also glad that I have a personal project on a topic I am passionate about to continue working on and improving.

Chapter 3: Evaluation

I really enjoyed working on this project and learning about the history of Saddlebred horses in mid-Missouri. Because my approach did focus a lot on the history of the breed in the state I had to rely a lot on historic images. Finding those images throughout my research and interviews was a fun experience, especially when compared to what I was seeing in the industry now. Finding a good way to combine the historic images with my own photos, videos, and interviews was an interesting endeavor. At first I struggled with how to combine the past and present in a way that made sense and was engaging to an audience. Finding the pageant script by Alice Thompson helped immensely in structuring the story.

I personally enjoy the historic focus of the project, as it is a topic and history I didn't know previously and find interesting. However, I do think there could be benefits to a more contemporary telling, such as incorporating current information on the breed's impact in Missouri. At the same time, the industry is not as strong as it once was in Missouri. There are still people in the industry and dedicated to preserving the breed and its history, but Kentucky is the more prominent state in the industry now. Mexico, Missouri was once known as the Saddlebred Capital of the World, but that title has now moved to Simpsonville, Kentucky. Then there are ties between the two states, both historically and still today, that could also be explored.

Overall, I like what I have produced with this project, but I think there is still more to be done. There is a wealth of information regarding the history of Saddlebreds in mid-Missouri, and I would like to continue exploring this topic, along with how it relates to more contemporary themes and to the industry as a whole throughout the United States.

I do like the video presentation format, as it is a nice way to combine the video, audio, and stills. I also think video is very accessible for the audience. I did have plans to create a companion written piece with more detail information, but I didn't complete that companion piece yet. As I continue to work on this project personally, I still plan on creating such a companion piece and likely hosting everything on a website. The video is already structured in the chapter sections that could be broken up into shorter videos and placed within a corresponding text piece. I still plan on creating this, and incorporating an audio story archive, as I transition into working on this story as a personal project. I had larger plans in regard to how I would package my final product when I started, but I haven't fulfilled all of those plans yet.

In terms of the details of the video, I think there are some visuals that could be stronger. There are a couple photos I took that could be stronger, especially knowing better how I want to use them. Some were taken to document what I saw, without a solid plan of how I was going to incorporate them into my piece. With the knowledge I have now of how I placed them into the story telling, I may have taken a different approach in how I made some of the photos.

Similarly, there are some photos of historic images that have light reflections on them because they were under glass when I took the photo. These images were all in the museum and behind glass for protection, but I would like to try and get clearer photos of some of these images. As I continue working on this as a personal project I would like to return to the museum and ask if they would be willing to take those images from behind the glass or return with a different gear setup to create clearer photos of those images.

I also learned more about shooting and editing video, especially in regard to capturing footage of horses (and likely other moving objects). I have had some video experience, and my video training emphasized the use of a tripod. I did use a tripod for a majority of my shooting, if not all of it, but I could see some times when it would have been useful to be more flexible with where I could maneuver with the camera. One instance was shooting the farrier working. Due to the narrower space in a barn aisle, I was sometimes squished up against a wall trying to position the camera to get a good shot of the work the farrier was doing. I also noticed that the tripod was not necessarily the best tool to use when panning to follow the motion of the horses. I do have a tripod with a head that swivels, but some of my footage was still shaky in spots or I didn't maintain a consistent speed in tracking the horse. I know there is other equipment available to help do this better, and I would try to use such equipment in the future if I have access.

I already knew the value of a good script or storyboard, but I didn't do the best job setting the story line up in the beginning of my editing process. I really struggled with how to order the footage I had available until I discovered the

pageant script as a framework. I then analyzed my footage to find the different themes presented in what I had gathered. Then I could use those themes to organize the footage from different sources into the script framework. This is also the longest video I have edited so far and navigating the longer story narrative was a new experience for me.

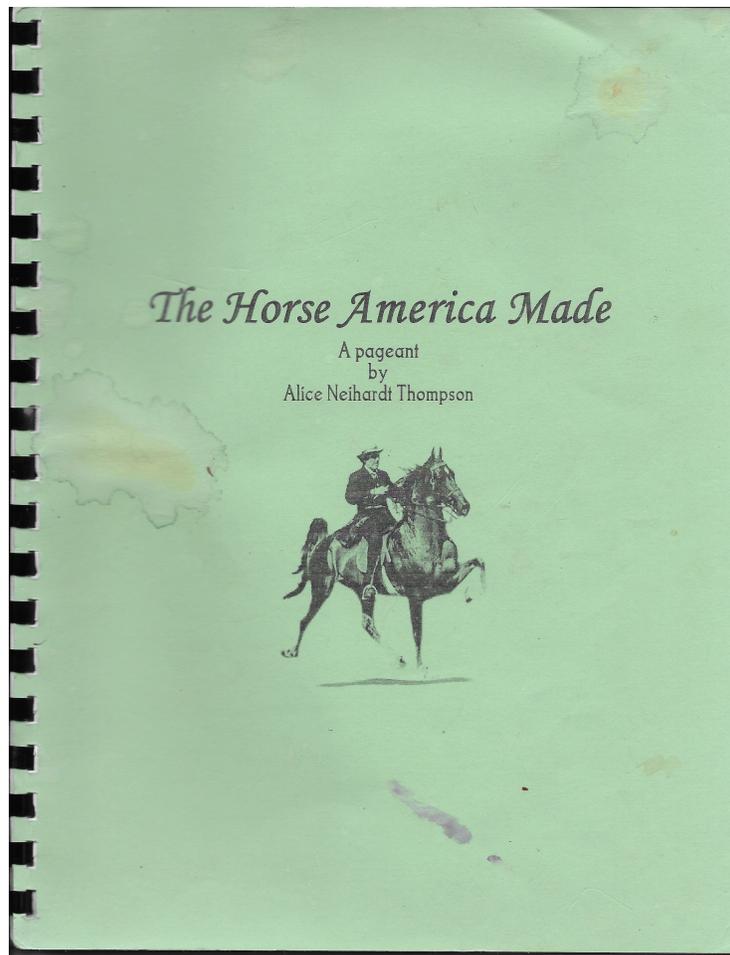
Even though I spent a longer time working on my project than I originally planned, other responsibilities distracted me at times and resulted in completing less than I originally planned to accomplish. There were times when I was overwhelmed by the wealth of information presented to me and that slowed my progress a little, but I also think I let other things in my life distract me at times. Again, I like what I have produced so far, but I definitely want to keep working on this story by improving and adding to what I have currently.

I think there is a good representation of information in the analysis portion of my project, but I also could have gone more in depth as to how privacy and tort laws could affect drone journalism. I was a little confused as to the structure of the analysis component from the beginning, and while I got some clarification, I remained somewhat uncertain of how to structure my analysis. My final product is informative, but I wonder if I could have been more detailed regarding the law and maybe spent less time discussing the benefits drones present to journalistic story telling. However, I was also writing to an audience of journalists, and too much legal language could end up making it more confusing to those without legal background knowledge. Overall, I think I maintained a balance between enough information and too much. The analysis will hopefully spark additional

research into potential legal ramifications, or at least consideration of those ramifications, before taking a drone to the sky to cover a story.

Chapter 4: Physical Evidence

I created a multimedia video as my story telling method. I chose a video format because I thought it would be a good way to incorporate the photos, video, and audio I had gathered in a way that would be accessible to the intended audience. I structured the video around a pageant script written by Alice Thompson.



The script provided a nice framework for the information I had gathered and incorporated a historical aspect throughout the video. I did not use the entire script, as there were numerous sections describing the combination of other horse

breeds that created the American Saddlebred breed. Such information was beyond the scope of my project's focus on Missouri's influence in the industry. I also made minor edits to the script to update it with current information and rearranged the order of some of the information presented.

Within the video format, I created several chapters, which covered different topics within the larger story. Breaking the video into chapters makes it more navigable if looking for information in a specific area and creates the option to break up the full-length video into shorter video components. The video chapters are The Introduction, Missouri's Place in Saddlebred History, Breed Characteristics and Temperament, and Show Classes and The Gaits. Each chapter incorporates the narration (from the pageant script) coupled with interviews and visual footage. The interviews often presented more details than the pageant script, added to the story, and helped connect the history to the present.

The introduction begins with the pageant script to show the audience where the narration originated. I also liked how the visual of the script opening relates to the idea of opening a history or research book. I used the audio of Alice Thompson reading the opening lines, rather than her daughter who narrates the rest of the piece, because I liked her enthusiasm and pride apparent in her voice.



I actually had that audio first and chose to ask Lynn Frazee to narrate the rest of the piece because I wanted to keep the narration within the family as they had both been involved in the industry throughout their lives.

The video then moves on to show a couple of examples of Saddlebred horses in action. As the horses and the industry surrounding them are the focus of the story I wanted to show them early in the piece.



I coupled my own current footage with home video from the Thompson family. My footage was a good example of a retired show horse performing a gait unique to the breed. I brought in the home video because it showed a different angle of the horse moving and created another tie to the historic aspects of the story.

The background music audio at the beginning of the video is actually the opening song played at the St. Louis Charity Horse Show. I liked how the tempo of the tune gradually speeds up and helps the video move from the introduction into the first chapter, just as it moved the horse show into the first class of the evening. The horse show footage and audio was one of the last aspects I recorded which working on my project, because I was waiting for a local show, and it helped tie together areas that were previously lacking visuals.



The first chapter begins with primarily historic footage, both historic images as well as photos I took of historically important artifacts. This chapter is primarily focused on the history of the breed in Missouri, so it makes sense that the majority of images would depict that history.



The beginning of this chapter presents a broader view of the history of Saddlebreds in mid-Missouri, then moves into a more detailed section about Tom Bass specifically. There is more information on Tom Bass because he is one of the most influential and famous individuals in the history of the breed. I transition into discussing Tom Bass with a break in narration and show music. I personally like the current show music played with the historic drawing of a Saddlebred show. It makes another connection between past and present, even though the current show footage is not seen yet.



The section on Tom Bass is the first place where current interview footage is used, surrounded by the historical images. Not only does the interview help tell the story of Tom Bass, but it also depicts the influence Tom Bass's contributions to the industry have today.

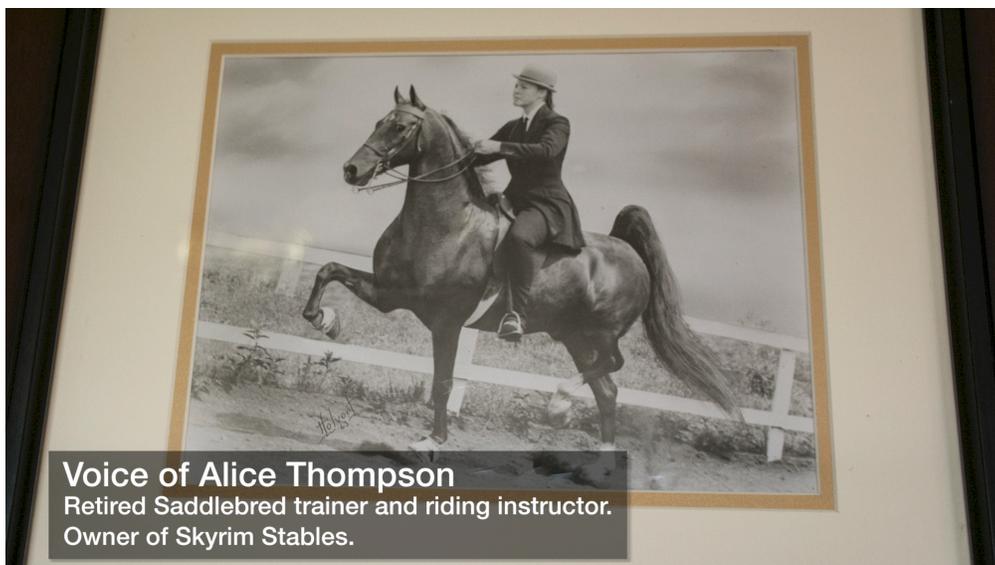
Chapter two is introduced with show music during another break in narration. I chose to use the national anthem music as the chapter narration begins by telling the audience they will hear a story "that is typically American." The

introductory remarks of this chapter end by mentioning the “rather overwhelming success” the breed experienced. I chose a show photo for this chapter introduction section that showed the American flag and then moved out to show the champion Saddlebred of a class, a good representation of the breed in a moment of success.



The chapter then moves on to explaining the breed characteristics. In this section I incorporated video of Kate Coup presenting a model Saddlebred in-hand,

as would be seen as a show and as described in the narration. I used the video to provide a better view of what it is like to show a Saddlebred in-hand, such as setting the feet and getting the horse's attention with the crop so he would perk his ears forward. I also incorporated still photos into this section when showing more details of conformation, the way the breed is built physically. I chose to use video again when the narration talks about a Saddlebred's "expressive eyes" and "active ears" because the video showed the movement of the horse's eyes and ears.



Chapter two ends with interview audio from Alice Thompson and Kate Coup about the temperament of Saddlebred horses. The interviews introduce a more personal touch to the video because they are sharing their personal experiences and recollections. Each interview clip shares a slightly different aspect about Saddlebred personality and again balances a historic feel with the present. I did not have good visuals of Thompson to use with this audio because she had moved too close to the camera, but I used an image of the horse she was describing. The black and white image lends a historic feel, which transitions to

the more contemporary feel of Coup's interview and photos. Together both show the balance between a Saddlebred's 'showiness' and kind temperament that has drawn people to the breed.



Chapter three covers the show classes and gaits of the American Saddlebred. This section is introduced with audio from the show, but it is more ambient audio of the crowd talking rather than the introductory music that accompanied each class. Still photos depicting each class listed in the narration are shown, and then video is used to show the horses in action in a five-gaited class, which is what the breed is best known for.



I then used interview footage to explain some of the differences between Saddlebreds and other breeds of horses. Kate Coup provided a visual demonstration of how they move more vertically than other breeds. I also included two still images, one of a Quarter Horse and one of a Saddlebred, over the interview footage to better visually demonstrate what she was describing.



Frank Forgette is then introduced and explains how shoeing Saddlebreds combines timing, animation, and soundness while other breeds are primarily

concerned only with soundness. His section is a combination of the interview video with still and video of him actually working and shoeing a Saddlebred horse. Because I was shooting this footage at night, the images are darker and have a different look compared to other sections of the video. He is also providing information from a different viewpoint other than a Saddlebred owner/trainer and the difference in visuals helps portray his different connection to the industry from the others.



The section then moves into a description of the gaits of the American Saddlebred. I knew I wanted to incorporate video here, because it is hard to visualize the unique gaits of Saddlebred horses just from still images. Additionally, you can't see the speed associated with some of the gaits from still images, so video was an important aspect in this section. Originally I shot footage of a retired show mare at LionHeart Riding Academy doing the different gaits. Before attending the horse show, this was the only footage I had of the gaits. The footage I had was useful, but after reviewing the footage I found that the horse

just moved too fast to see a lot of the movement unless I tracked the horse with the camera. Thus, when I shot footage at the horse show, I made sure to get tracking shots to better show the gaits. It was also important to capture the show atmosphere and show the horses in that setting.



The script then mentions the hours of training that goes into preparing a Saddlebred to show. I used this as an opportunity to bring in interview footage regarding the training of Saddlebred horses. Alice Thompson's interview provides another personal touch to the story and also transitions into discussing the unique gaits of the breed, the rack and slow gait.



More information is presented on the slow gait and rack than the other gaits, because those are the gaits unique to the American Saddlebred. The section on the slow gait combines photos, regular speed video, and slowed down video. The photos stop the action of the gait so viewers can most easily see the hoof placement. Regular speed video demonstrates what the gait looks like in real life, while the slowed video again helps the viewer better see the hoof placement and order characteristic of the gait. Additional information from Frank Forgette is included in this section because he talks a little about the specific way of shoeing Saddlebreds and the purpose behind that method to help a show horse perform the best. I included some footage focused on the hooves of horses during the show. I thought this footage went well with Forgette talking about shoeing because you could see some of the shoeing method in the footage. I also liked incorporating a different and more detail oriented viewpoint of the horses in the show atmosphere.



The chapter concludes with information presented about the rack. The rack is actually very similar to the slow gait, but is performed at a much faster speed. I primarily used video at regular speed in this section to best show that speed and action. This section also incorporates more interview footage of Alice Thompson and Kate Coup. Both of them describe the rack and the power, grace, and speed of the gait. It is nice hearing the gait described by people who love the gait and love the horses that perform it.



The show footage showing the rack then transitions into the conclusion of the video. I began the conclusion with a couple more historic images then include a current photo and footage of the horses lining up at the end of a class in the horse show. The visuals transition from history into the present.



The visuals end video footage of a champion horse from the show into a freeze frame of that horse at the peak of action, which fades into the image of a painting of a similar horse. I used this technique because it matches the audio description of Saddlebred horses as “a work of art.” It is a more artistic technique itself, but I like the visual it creates and leaves with the audience. The painting is also dark around the edges with a spotlight highlighting the horse. Not only is the horse the central focus, but the color then fades nicely into the credit slide.



Alice Thompson speaks the final audio that describes the Saddlebred as “a work of art.” I chose this audio to end the video because I thought it was a nice

quote that summed up the uniqueness of the Saddlebred in a way that also portrayed the love that people immersed in the industry have for the breed. I also loved that the video ended with the same voice that began it, which helps bring it full circle again connecting the past to the present.

Chapter 5: Drone Journalism, Trying to Fly in a Legal Landscape

Unmanned aerial systems, more commonly known as drones, have been increasing in popularity for recreational and journalistic uses. Drones are particularly useful for visual storytelling. Many journalistic outlets are looking to incorporate the use of drone footage or have already taken steps to utilize this technology. However, even such recreational or storytelling use of drones may have its dangers. In 2014, a man was arrested for “flying a drone too close to a hospital window.” The following year, a police officer was “charged with eavesdropping after flying a drone over his neighbor’s property” and lost his job as a result. Then, in 2016, two men were arrested for “flying a drone over security officers at the Dakota Access Pipeline protests.” Some of these cases are still active, and although the man in 2014 was found not guilty, he still had to undergo the trial process. These cases cover issues regarding the right to privacy and the threat posed by drone use to such privacy.

The use of drones for surveillance, or simply for gathering visual data, brushes up against the right of privacy and people’s desire to maintain their privacy. Some individuals have taken protecting their privacy to the point of shooting down drones they view to be invading that privacy. One such individual in Kentucky is now known as the Drone Slayer after shooting down his neighbor’s drone as it flew over his property. The self-proclaimed Drone Slayer, William H. Merideth, was arrested after the incident, but cleared of charges in 2015 when Bullitt County Judge Rebecca Ward found that the drone hovering

over his property “was an invasion of their privacy and that they had the right to shoot this drone.” David Boggs, the drone pilot in this case, brought another case against the Drone Slayer in federal court in an attempt to recover damages to repair or replace the drone. In 2017, that second case was dismissed due to improper venue, and the pilot was again left with a destroyed drone and no legal answer as to whether his flight constituted trespassing.

One of the most important concerns surrounding the use of drones is the potential impact into an individual’s privacy. Many of the laws that may come into play when flying a drone relate to this privacy concern. The tort of intrusion upon seclusion is a privacy-related tort that will likely play an important role in drone-related privacy cases. This tort occurs when an individual “intentionally intrudes, physically or otherwise, upon the solitude or seclusion of another.” Such individual becomes liable for the invasion of privacy if “the intrusion would be highly offensive to a reasonable person.” This tort is applicable to drone flights; however, the elements must be met for a drone operator to be found liable under the tort. First, a drone flight that invades another’s privacy must be intentional rather than accidental. It is still a question of “whether the intentional act of flying a drone is sufficient” to meet the intentional intrusion element of this tort. Second, the intrusion must be into a private space, and “observation of a person in public generally does not amount to liability” for this tort. Finally, the flight must qualify as “highly offensive,” which arguably does not occur with a single instance. Such a claim has not yet been tried in court regarding a drone flight, so it is not clear what use of drone surveillance or gathering of footage would constitute as being

highly offensive. However, knowledge of the elements of this tort can help journalists plan drone flights that will not create an actionable invasion of privacy through intrusion upon seclusion.

Publication of private facts is another form of common-law invasion of privacy which journalists should be familiar with when utilizing drones. This tort covers the “public dissemination of private information” rather than the act of gathering that information. This tort only applies if the information gathered is publicized. The act of gathering the private information does not lead to liability under this tort if the information is never shared. Journalists should be aware of this privacy tort when disseminating information related to a story. If the information is relevant to the story being told, it is likely this tort will not apply. However, drones can be equipped with features that allow for additional information to be collected beyond what may be necessary to adequately tell a given story. Some features allow drones to capture heat signatures and other detailed information that may introduce private information about a subject that should remain private if not relevant to the newsworthiness of the story.

Another privacy issue, rooted in property law, is the privacy rights of individual landowners. The airspace above private land has long been a privacy buffer for landowners, and drones are a potential threat to that privacy. Flying drones over private land may implicate landowners’ rights to the low-altitude space above their property. Current laws do not provide a “definite ceiling on the three-dimensional columns of airspace controlled by landowners,” so there is a lot of uncertainty as to “where drones may and may not fly” based on laws regarding

personal property. Without clear designation, a private property owner could bring an arguable claim of aerial trespass against an individual or organization that flies a drone over personal property. There is the “open access ‘commons’ resource” of airspace at altitudes above 500 feet, but that is also the area specifically controlled by the FAA and where commercial planes fly. Current drone regulations “strongly encourage” drone pilots to “fly at or below 400 feet,” below the open access airspace. Furthermore, some landowners believe they have the right to shoot down drones flying above their personal property. The Drone Slayer case discussed above showed that a judge was willing to hold the privacy rights of such an individual over the resulting property damage suffered by the drone pilot. Thus, journalists should limit any drone flights to space over public property to limit the risk of a resulting charge of trespass over private property or even loss of a drone shot down by a landowner.

It is important for journalists working with drones in the field to know and consider privacy related laws. It should also be noted that the legal precedent in this area is still “based solely on manned aviation and somewhat analogous cases” involving technologies similar to drone technology. The torts that may be relevant to drone operators “have not kept pace with contemporary privacy problems” involved with advancing technology, and the “unique intrusiveness” of drone technology. For example, courts will have to decide what constitutes intent in an intrusion upon seclusion claim, as noted above. Will the intentional act of flying a drone suffice, or will it depend on whether the drone pilot intended to fly the drone where it would invade another’s privacy? There is also no determination yet

as to “the height at which drone flights remain privileged as an exercise of the right to travel in public airspace” or exactly how far a landowner’s “property rights extend into the sky.” Furthermore, the current federal regulations are focused “on safety rather than protecting privacy” and do not help drone pilots navigate the additional privacy considerations that should occur when operating a drone.

While the federal regulations do not currently address privacy concerns, different levels of governments are starting to address those issues. Several states have passed laws addressing the use of drones and upholding the privacy rights of individuals. Under a Florida statute, “a person is presumed to have a reasonable expectation of privacy ... if he or she is not observable by persons located at ground level where they have a legal right to be, regardless of whether he or she is observable from the air with the use of a drone.” Additionally, some states, such as California, have stalking statutes that will most likely apply to instances of “drone-stalking.” Federal legislation is also being introduced that will specifically address privacy protections related to the use of drones. In March 2017, Senator Ed Markey and House Representative Peter Welch introduced the Drone Aircraft Privacy and Transparency Act, legislation designed “to put in place more privacy protections against drones.” This legislation will “ensure standards for informing the public” about drone flights, as well as require “privacy protection provisions” for data collected by drone operators, drone licensing enforcement measures, and other aspects. Thus, journalists must remain aware of the changes happening at the state and federal levels that may affect where drones may be utilized in the

future. Journalists should also become a part of the discussion surrounding the professional use of drones and the privacy issues that may arise from drone flights.

Even with all the current regulations, new regulations being put in place at different levels of governments, and the possibility of facing other legal ramifications (such as tort claims), there are journalists who want to take advantage of this new technology to tell better news stories. The Professional Society of Drone Journalists has formed and “adopted a code of ethics that ... acknowledg[es] the sanctity of law and public spaces.” Additionally, journalists “have already incorporated drones into their reporting” in other countries, including England and Australia. As the use of drone journalism, and the drone industry in general, develops, “journalists and press advocates should remain engaged in the political process and speak out against” proposals that may “unnecessarily restrict the use of drones” in journalism. Journalists themselves, through news organizations and other agents of policy change, are in some of the best positions “to provide improved pathways to creation and dissemination” of drone journalism. Advocates for drone journalism have already helped lead to changes in federal regulations to make those regulations more accommodating to the use of drones in journalism.

There are numerous areas of journalism and photography that would benefit from the use of drones. Forerunners are already looking to use drones in American media and take advantage of this innovation. However, the development of legal regulations and application of existing laws to drone use

may have a significant impact on how drones can be used for journalistic purposes. If journalists don't join the conversation on drone laws and regulations, it is likely the voice of the media will not be heard, and journalists may only have limited options to use drones in news coverage. If journalists want to make use of drones, they need to be aware of the changing legal landscape regarding drone use and be a part of the changes being made. They must also be responsible drone operators and become knowledgeable about the laws beyond federal regulations that may impact journalistic use of drones either before or after flight. Professional journalists have the opportunity to embrace this new technology to tell more engaging and informative stories, while upholding the privacy rights of individuals.

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Appendix

Project Proposal

Introduction

This spring I am finishing up four years of graduate course work at the University of Missouri in pursuit of a Juris Doctor in addition to my Masters in Journalism. For my professional project I will research the legal regulations and impacts surrounding the use of drones in journalism. My professional work will be a photo and/or video story covering the history, development, and current use of saddle horses in mid-Missouri. This will consist of a historical overview and an overview of contemporary issues. There will also be profiles on specific individuals involved in the industry included. I will ideally incorporate drone footage into my project.

My course work has prepared me for this project through my study in both law and journalism. My law courses have taught me how to do legal research and apply legal laws/regulations to real world situations. I have also taken law classes related to the field of journalism including media law and advertising law. The legal knowledge I have gained in law school will provide me with the necessary skills to research and evaluate the changing regulations surrounding the use of drones and how those regulations are likely to affect journalists using that technology. Additionally, I have had numerous hands on experiences learning photography skills pertinent to creating journalistic stories.

I have taken various photojournalism courses that have taught me how to cover a story for news outlet in addition to essential photography skills. Staff

photography provided a valuable experience working as a photographer for an active city newspaper, the Columbia Missourian. In that course and others I learned how to capture photographs that tell a story local and national events affecting Columbia, Missouri. Furthermore, I will be taking a science and agriculture journalism topics course in drone journalism this spring. This course will provide me with additional hands on experience using drones as part of creating a visual narrative

The use of drones in journalism has the possibility to become a useful journalistic tool to help tell news stories. However, given the regulations in place currently and the future possibility of new regulations limiting the use of drones, it will be important for journalists who want to utilize this new technology to also understand the legal implications of doing so.

After graduating from the University of Missouri my career aspirations incorporate several options including photography, the law, and working with horses. Some career paths I am interested in include working as a photographer covering equine sports, working in a staff photographer position, working as a freelance photojournalist, working as a private equine photographer, practicing as a lawyer (possibly part time) focusing on equine and disability law, and possibly working with or starting a therapeutic riding center. My professional project will help me prepare for all of these possible careers. The legal aspect will provide me with additional experience in legal research, which will prepare me for a career practicing law, as well as applying my legal research skills for journalism stories. Additionally, learning about drone journalism, the regulations surrounding their

use, and then actually using them in the field will provide me with valuable knowledge and skills that not many other working in the field of journalism have learned yet. Furthermore, I will be utilizing my photojournalism skills in the field on a longer story that will translate to the type of journalistic work I am interested in.

Professional Skills Component

Area of emphasis of project:

Visual journalism including photography, videography, and multimedia

Educational and professional qualifications:

Masters in journalism with emphasis in photojournalism, an undergraduate degree with a major in Equine Administration (knowledge of the equine industry)

Experience photographing Kentucky Oaks and Derby (horse racing), experience photographing horses for sale (setting up horses for conformation photos), working in the horse industry in different disciplines, volunteering at the ROLEX Three Day Event and World Equestrian Games

Beginning and end date:

Mid-January, 2017 to mid-April, 2017

Work schedule:

30 hours per week for 14 weeks (or longer if story requires)

Description of work:

I will cover the Saddle Horse industry and how the Saddle Horse was developed in central Missouri, along with how the industry has developed into what it is today. Some aspects that I may cover will include Tom Bass, the Society Horse Show, and other individuals who have had an impact in the Saddle Horse and Saddlebred industry in mid-Missouri. The final product will incorporate a historical overview and an overview of contemporary issues along with some profiles on specific individuals important to the industry in mid-Missouri. Ideally, I would also like to incorporate some drone footage (such as of notable farms in the industry) if I can meet legal regulations and gain permission from my subjects.

How the work will be disseminated:

The work will be disseminated in the form of photographs, video(s), and/or or multimedia pieces online and/or in print. The project may be compiled into a book for publication or may be sent to various equine magazines that may be interested in publishing the story.

Material included in the final project report:

Photographs, interviews, video, multimedia pieces, written story

Who will supervise the project:

David Rees will supervise this project.

I will compile field notes as I work on the project and will present those notes in a blog format on a weekly basis.

Analysis Component

Theoretical Framework

In gatekeeping theory there is a “gate,” or threshold, that is guarded by people deciding what information may pass through the gate or not (DeJuliis, 2015). The initial description of gatekeeping focused on an individual gatekeeper deciding what message should be allowed through the gate and, in the field of journalism, published in a news outlet (DeJuliis, 2015). However, as new media technologies arose the gatekeeping theory has altered to meet society’s changing access to information.

Now the theory of gatekeeping is more focused on evaluating the “capacity of gatekeepers to construct social reality” rather than simply the process of gatekeeping (DeJuliis, 2015). The audience has become an additional gatekeeper through the prevalence of the Internet and the ability to post information individually or to share information posted by others (DeJuliis, 2015). A “gatekeeping mechanism” in today’s terms is a “tool, technology, or methodology used to carry out the process of gatekeeping” (DeJuliis, 2015, citing Barzilai-Nahon, 2008). Such a “process of gatekeeping” may consist of “censorship mechanisms” that “delete or exclude undesired information or users from an existing network” (DeJuliis, 2015). A network gatekeeper then controls the gatekeeping mechanism and may be from an “authority dimension” or a “functional dimension” (DeJuliis, 2015). The authority dimension of network gatekeepers includes governmental and industry regulators as well as others (DeJuliis, 2015).

In this regard, governmental regulators, such as the FAA, may act in the capacity of network gatekeepers by prohibiting information, in the form of drone photography and video, from being disseminated by the media. Regarding the use of drones in journalism, the network gatekeepers are keeping out the technology that could lead to a new manner of telling stories rather than limiting the story information itself. The theory of network gatekeeping has extended the traditional theory beyond selection of information shared and now includes shaping, manipulation, disregard, and display of information (DeJuliis, 2015). In this way, the network gatekeeping theory is relevant to the discussion of the use of drones in journalism and helping journalists understand the limitations placed on drone journalism when incorporating drone journalism into a news story.

The research question I want to address in my project is: How does the changing legal landscape affect the future of drone journalism?

Drone journalism is a relatively new concept that offers many potential advantages in telling a story. However, due to the technological advances in introducing drones and their continued improvement, the legal realm regarding the use of drones has struggled to keep up with the pace of technology. As the regulations currently stand, it is very difficult, if not practically impossible for news outlets to utilize drone technology to shoot story footage. Changes and advancements are set to occur in regulations and will impact the future of drone journalism.

As a dual degree student, I am interested in the law and legal theories currently in place regarding drone journalism, as well as those that may be

utilized in the future. There are various legal implications under the current regulations on the use of drones, others that arise outside of such regulations, and still more that may be applicable if the legal landscape changes regarding the use of drones. I would like to evaluate the various legal theories involved in drone use, and how the implications of such theories directly or indirectly affect the use of drones in journalism. The legal aspects that may affect drone journalism range from theories of tort law (trespass, intrusion upon seclusion, battery, and negligence), local laws, regulations by governing entities, and property law (private airspace).

There are many potential benefits to drone journalism, and a low entry cost to utilizing drones, however, not many news outlets use drones to get news footage, at least not in the United States. One of the largest barriers to drone journalism in the United States is the law, or current lack of law, and regulations on the use of drones (Culver, 2014). Regulation on drone use began in 2012 when Congress enacted legislation “instructing the Federal Aviation Administration to adopt regulations by September 2015” regarding the use of drones (Rule, 2015). However, the current FAA regulations are from 2007, which require “anyone other than a hobbyist” to get FAA permission through a Certificate of Authorization to operate and fly a drone (Allen & Shastry, 2014).

The FAA “has sought to ban any actions it deems commercial [drone] use,” and has specifically defined drone journalism as “an illegal use of this technology” (Holton, Lawson, & Love, 2014). This also includes “university-

based, non-commercial journalists;” therefore, even university teaching courses in drone journalism need a Certificate of Authorization to operate drones in the field (Allen & Shastry, 2014). While the FAA is still currently working on its official regulation scheme, some individuals have gone to court to argue against the FAA (Rule, 2015).

To evaluate the legal landscape surrounding the use of drones journalists should evaluate the existing regulations, proposed regulations, individual cases that have gone to court, and how existing law may impact the use of drones keeping in mind the theory of network gatekeeping. The existing regulations and proposed regulations may be accessed through the FAA’s website. Evaluating the existing and proposed regulations relevant to their impact on drone journalism provides a strong basis on which to discuss how drones can legally be utilized in the field of journalism. Additionally, existing law, such as tort and private property law, may also have an impact on how drones may be used in journalism. Thus, evaluating the regulations and existing common laws that are most likely to impact the use of drones will provide journalists with a solid basis as to how they can use drones in the field. Understanding such regulations and laws will allow journalists to utilize this new technology legally in the field.

Literature Review

Drones are entering the field of journalism and offer many opportunities for news outlets. Although they began as military tools, drones, or Unmanned Aerial Vehicles (UAVs), are being altered for nonmilitary purposes, including

journalistic purposes (Culver, 2014). Drones offer advantages to journalism because of their size, because they are unmanned, and because they can be preprogrammed to fly autonomously (Culver, 2014). Drone journalism has also been called “robot eyewitnessing,” and incorporates the important journalistic purpose of using eyewitnesses to tell news stories (Gynnild, 2014). Furthermore, drones can be used with still or video cameras to provide new opportunities for visual storytelling. With so many potential benefits to drone journalism and the low entry cost, more news outlets should be using drones, but they aren’t yet, at least not in the United States. One of the largest barriers to drone journalism in the United States is the law, or current lack of law, and regulations on the use of drones (Culver, 2014).

In order to better understand the legal implications and regulations surrounding the future use of drones in journalism, one must first understand the legal definition of a drone, how drones may be used in journalism, the legal implications of drone journalism, and the history of legal restrictions on drones.

Legal Definition of Drones

Drones are more properly called Unmanned Aerial Vehicles (UAVs) or Unmanned Aircraft Systems (UASs) (Culver, 2014; Love, Lawson, & Holton, 2015). The Federal Aviation Administration (FAA) is currently the regulatory body taking the lead on developing and enforcing regulations on the use of UASs in the United States, and it offered a definition in its 2007 policy regarding “operations of unmanned aircraft in the National Airspace System” (14 C.F.R. § 91). In that policy, the FAA defined “an unmanned aircraft” as “a device that is

used, or is intended to be used, for flight in the air with no onboard pilot” (14 C.F.R. § 91). The description continues to state that such devices may range from small recreational aircraft to complex surveillance aircraft and may have a wingspan from six inches to 246 feet (14 C.F.R. § 91).

In addition to the FAA’s definition of an unmanned aircraft, the agency has created three categories of UAS use on which its current policy is based: public aircraft, civil aircraft, and model aircraft (14 C.F.R. § 91). The public aircraft category refers to UASs used by government agencies for government purposes, the model aircraft category refers to uses of UASs that are for recreation only, and the category of civil aircraft refers to any other use of a UAS (14 C.F.R. § 91; Love et al., 2015). The commercial use of a UAS falls under the civil aircraft category, which makes the regulations on that category applicable to drone journalism as the FAA considers journalism to be a commercial purpose, and the FAA considers journalism to be “an inherently commercial activity,” not actually requiring direct compensation (Love et al., 2015).

The FAA has provided a definition of what constitutes an UAS and the different categories of how UASs may be used. However, the supplied definition is very broad and includes a wide range of UASs including those considered to be children’s toys and those used for targeted killing. The FAA has defined drones in such a way as to include all unmanned aircraft that may be operating in a variety of different uses. The FAA’s policy further designated categories to define UASs by how they are used and operated. The FAA policy provides the current legal definition as to what constitutes a drone or UAS; however, the definition has also

been challenged in court cases and may change after a proposed rulemaking issued by the FAA to be completed in a few years (Wimmer, Schenendorf, Kosseff, & Kiehl, 2015). Thus, journalists hoping to use UASs in news reporting should be aware of the current policy and follow the discussion leading to potential new rules from the FAA regulating the use of UASs.

How Drones May be Used in Journalism

Our society is informed of events through news sources and the visuals those sources provide. Visuals provide support for the story, engage the viewer, and add to the credibility of the story (B. Allen, personal communication, April 28, 2015; Gynnild, 2014). Credibility is important in journalism, and eyewitness accounts have long “been considered crucial in establishing authority and ensuring the credibility of news stories” (Gynnild, 2014). Photographs are a form of eyewitness accounts because viewers generally believe that a photograph, especially one published in the news, shows the truth of what actually “undeniably existed” or occurred in that moment (Goldberg, 1991). Photographs and other visuals tell news stories in a way that audiences now appreciate and expect.

The National Press Photographers Association (NPPA) conducted a survey to evaluate how “media organizations and individual journalists intend to use [UASs] for newsgathering purposes (Osterricher, 2015). The survey was sent to approximately 50 news organizations by email and promoted on the NPPA website and through social media (Osterricher, 2015). It was accessible from February 3, 2014 to March 13, 2014 and resulted in 680 responses (Osterricher,

2015). The survey found that more than 70% of respondents were “confident or very confident” that small UASs could be “a useful journalistic tool” (Osterricher, 2015). One hundred seventy-two respondents claimed that they had used UASs for newsgathering purposes and 161 described how UASs were used: covering breaking news (29%) and non-breaking news (54.7%), as well as capturing moving images (72%) and still images (55.9%). The use of UASs by survey respondents included coverage of “fires, accidents, weather conditions and natural disasters, to construction sites and landscape panoramas” (Osterricher, 2015).

The NPPA survey also asked respondents to provide the potential uses of UASs in newsgathering. Respondents listed various situations where UASs could be used to better cover news events including fires, accidents, sports, and natural disasters (Osterricher, 2015). They also listed potential benefits of incorporating UAS footage into news reporting, such as “the ability to provide overall views and perspectives not normally seen,” covering events with limited access, increasing safety, and reducing costs compared to using a helicopter for aerial footage (Osterricher, 2015). The survey responses encompassed professionals in the journalistic community ranging from staff and independent journalists, photographers, and management in news outlets to students and educators (Osterricher, 2015). A variety of individuals involved in the industry have noted the potential benefits of using UASs to capture footage for news publications.

There has been an interest in the use of aerial photography from as early as the 1850s when cameras were mounted on hot air balloons to photograph American cities (Holton, Lawson, & Lowe, 2014). News outlets today use

helicopters and other methods to photograph from higher angles above the action, and UASs provide options for similar methods of photographing events from above (Holton et al., 2014). UASs also offer numerous advantages. They provide the opportunity to shoot stills or video from a different perspective, permit accessibility into hard-to-reach areas, reduce potential danger and risks to human life, reduce costs, and be less obtrusive on the scene (B. Allen, personal communication, April 28, 2015; Kent, 2013; Syed & Berry, 2014).

More specifically, UASs can be used in situations “where helicopters will not [work] because of their size, noise and flight space requirements” (Kent, 2013). UASs have more “versatility in vantage points” due to their smaller size, and they are “less noisy than helicopters” so they can “record much less obtrusively” (Syed & Berry, 2014). These aspects allow UASs to capture footage (and they already have) of events, including “rarely seen wildlife displays,” “Ukrainian uprisings,” rockslides, fires, and tornado damage (Holton et al., 2014). Coverage of such events could also include live-streamed video footage from an UASs at the site of a hurricane or other natural disaster (Culver, 2014). The drone perspective provides the viewer with a macroscope, a landscape view of how different activities fit together (B. Allen, personal communication, April 28, 2015).

In addition to their ability to “survey damage from natural disasters,” UASs can also be equipped with sensors to gather data about radiation, weather, and other information to supplement video recording (Culver, 2014; Syed & Berry, 2014). Digital mapping, creating a digital image of a large area stitched

together that is also searchable by GPS is also possible using UASs (Culver, 2014). Additionally, UASs can fly over potentially dangerous situations, such as forest fires, conflict zones, and erupting volcanoes, “without risking human life” (Syed & Berry, 2014). This includes the lives of spectators or those involved in the event being covered, as well as the journalists (Holton et al., 2014). A falling drone may hurt a bystander, but not as badly as would a helicopter that crashes.

These general benefits of UASs to journalism are also specific advantages of drone photojournalism. One key advantage to drone photojournalism is the new vantage point that the drone offers to help viewers visualize the scene (B. Allen, personal communication, April 28, 2015; Gibb, 2011). Another advantage is the “low-impact” of using a drone to get the shot in terms of gear and cost (Gibb, 2011). Professor Bill Allen, who helped to start the drone journalism course at the University of Missouri, states that “you can ask a lot of questions with UASs beyond simple photography” (B. Allen, personal communication, April 28, 2015). Allen believes that knowing how to fly and use UASs, and “doing the cinema techniques that get good images will be part of the photojournalist’s toolkit” (B. Allen, personal communication, April 28, 2015). There are also situations where “an image ... could be made no other way” than with a drone (Gibb, 2011, quoting Nichols).

Gynnild also categorizes drone journalism as a “disruptive innovation,” one that “has emerged accidentally, [and] disrupts existing conceptions of journalism” which “contributes to the creation of new markets and ... reducing human risk taking” (Gynnild, 2014). The concept of UASs reducing human risk

taking is apparent from the fact that UASs can be used in potentially dangerous situations, and a human need never enter the danger area, whether a natural disaster or a human conflict. Gynnild believes that UASs “might help to improve business models, improve journalistic working conditions, and improve the quality of journalism as a product” (Gynnild, 2014). Such aspects would support the idea that drone journalism is a disruptive innovation that will be beneficial to the field of journalism.

Drone journalism will help fulfill the audience expectation that stories are told from multiple viewpoints, and add context to news stories by providing viewpoints that have not been used previously (Gynnild, 2014). Audiences also expect eyewitness accounts in news stories. At times, however, getting these accounts puts the journalist in dangerous situations that could instead be covered by drone footage (Gynnild, 2014). Drone footage could also allow for extended coverage of an event, including live streaming (Gynnild, 2014).

In addition to the new visual aspects drone journalism can provide to news coverage, UASs also uphold the goals of journalism to be a watchdog and the voice of the people, along with telling an unbiased story. UASs give journalists the ability “to look, and to snoop,” and “to find stories” that could not be found from the ground (B. Allen, personal communication, April 28, 2015). Other countries already use UASs in journalism, including using UASs “to circumvent traditional limits on access” (Syed & Berry, 2014). In this manner, UASs can be used to fulfill the need for journalists as watchdogs and to conduct investigative journalism. UASs also allow “for surveillance by participants from within an

activity, rather than from governmental or other authority” (Gynnild, 2014). This allows journalists to use footage to better tell the story of the people rather than the story of the government.

The potential benefits of drone journalism in news coverage are emphasized by how comparatively easy and inexpensive it is to use a drone. It is relatively easy to find drone operation instructions online, and organizations are beginning to form around drone journalism that offer training (Gynnild, 2014). Furthermore, many UASs are marketed as toys and are priced starting around \$300 (Gynnild, 2014). These low barriers to entry make purchasing a drone and learning to operate it less costly and less challenging than purchasing a helicopter and training someone to pilot it. UASs “present a cost-saving alternative to aerial coverage at a time when news organizations are struggling with economic stability” (Holton, Lawson, & Love, 2014). Not only are UASs less expensive compared to using helicopters, but they can also reduce the cost of ground level reporting as well. UASs allow visual journalists to shoot scenic and descriptive footage for a story “without the need for hefty video cameras, dollies, grips, news vehicles, and other resources frequently needed for news broadcasts” (Holton, Lawson, & Love, 2014). Lower costs for getting the best footage to tell a story helps to “even the playing field and lower barriers to entry for smaller news organizations” to sustain competitiveness (Allen & Shastry, 2014).

There are many potential uses for UASs in journalism, but not many news outlets in the United States have begun using drones. Returning to the NPPA survey, 394 out of 470 respondents who had never used UASs for newsgathering

purposes provided reasons for why they had not used UASs (Osterricher, 2015). Such reasons included expense (35%), safety and insurance liability (24%), damaging or losing equipment (20%), no corporate policy on use (16%), and others (23%) (Osterricher, 2015). The highest percentage, 51%, had considered using UASs but was “concerned about violating state or federal regulations (Osterricher, 2015). The survey also found that other legal fears, including tort and criminal liability, also discourages the use of UASs by news outlets (Osterricher, 2015). Understanding the potential legal implications of using UASs and ways to mitigate potential negative ramifications for the news outlet is an important step in integrating UASs into more common use as journalistic tools.

History of Legal Restrictions on Drones

Regulation on drone use began in 2012 when Congress enacted legislation “instructing the Federal Aviation Administration to adopt regulations by September 2015” regarding the use of UASs (Rule, 2015). However, the current FAA regulations are from 2007, which require “anyone other than a hobbyist” to get FAA permission through a Certificate of Authorization to operate and fly a drone (Allen & Shastry, 2014). The FAA’s initial roadmap of its “‘comprehensive plan’ to integrate non-government drones” was then released in November 2013 (McIntyre, 2015). However, final rules regarding private use of UASs are not expected until the end of 2015 at the earliest (McIntyre, 2015).

Some regulations also being used by the FAA to apply to the use of UASs by the public are its guidelines for operators of model aircraft for recreation. Such hobbyists are allowed to fly UASs without a license if they follow those FAA

guidelines published in 1981 (McIntyre, 2015). These guidelines state that model aircraft operators “must avoid flying near airports or noise-sensitive areas, avoid flying in populated areas until they are confident pilots, and keep the aircraft within sight and below 400 feet” (McIntyre, 2015). These guidelines apply to recreational operators, but they do not apply to the use of UASs for journalistic purposes.

Furthermore, while the FAA is still currently working on its official regulation scheme, some individuals have gone to court to argue against the FAA (Rule, 2015). In *Huerta v. Pirker*, Raphael Pirker went before the National Transportation and Safety Board (NTSB) to contest an enforcement action and civil penalty placed against him by the FAA (Syed & Berry, 2014). The judge in the matter found that the FAA fine was unenforceable because there was “no enforceable rule” or regulation at the time (Syed & Berry, 2014). This decision was made in March 2014, and the FAA quickly appealed the judgment (Syed & Berry, 2014). In November 2014, the appeal was decided with a reversal by the NTSB, in which the board acknowledges that the FAA’s definitions of an aircraft are broad, but clear (Love et al., 2015). On January 16, 2015, the case settled without further proceeding (*Huerta v. Pirker* settlement agreement, 2015).

While the FAA is serving as the federal regulatory agency, state governments are also considering and enacting legislative actions addressing operation of UASs (O’Connor, 2014). As of December 2014, forty-three states have considered legislation regarding drone use, and ten states have enacted legislation addressing drone flight, drone operation, and privacy concerns (Syed

& Berry, 2014; O'Connor, 2014). At an even smaller level, local municipalities are also beginning to regulate the use of UASs (O'Connor, 2014). However, it should also be noted that the FAA's authority and regulations might preempt state and local powers (O'Connor, 2014). At this time there is no express provision for preemption, but courts have previously held that "state regulation of traditional aircraft in the areas of safety and operations are preempted" (O'Connor, 2014). Thus, until the FAA regulations are finalized, it is unclear whether preemption will apply or not.

The Legal Implications of Drone Journalism

Under the current FAA regulations, a news outlet must obtain a Certificate of Authorization in order to operate a drone for journalistic purposes (Allen & Shastry, 2014; Holton et al., 2014). Getting such a certificate includes answering detailed questions about "device safety, safety precaution plans while flying, pilot qualifications, procedures for reporting accidents, devices such as ... cameras attached to the drone, and flight plans and maps, among others" (Allen & Shastry, 2014). Additionally, this Certificate of Authorization requires detailed information about the proposed flight before the flight even occurs, which would severely limit the application of drones in journalism, especially their beneficial use in breaking new stories (Holton et al., 2014). This comprehensive and detailed questionnaire "effectively preclude[s] the [drone's] use for the exact kinds of news gathering" for which drones are best suited (Holton et al., 2014). In addition to FAA regulations, drone journalists will also need to be aware of other government laws and regulations at the state and local levels.

There are some possible areas of state and local government regulation that may “implicate newsgathering,” and include regulation of operators, flight, property, devices, behavior, and consent (Syed & Berry, 2014). Furthermore, as states begin to create laws regulating drone use, journalists will need to remain aware of those laws. With states taking different approaches, journalists, especially those working on stories that cross state borders or covering a story outside their home state, need to be aware of the laws of multiple states (Syed & Berry, 2014). This may require drone journalists to stay current with the laws of multiple states and realize that what may be legal in one jurisdiction may not be in another

Such state or local government regulations may only permit “certain people or entities to fly drones” (Syed & Berry, 2014). Limiting who can fly drones may continue to restrict drone journalism if journalists are not given permission to fly them, or may at least slow the process of integrating drones into the newsroom because people using drones in the field will need to be licensed (Syed & Berry, 2014). Other regulations could be placed on the actual flight of a drone, including “when, where, and how drones are flown” (Syed & Berry, 2014). This may restrict news organizations to flying drones only at certain times, which may limit some of what drone journalism could cover.

Governments may also choose to regulate devices used on drones and behavior of drone operators (Syed & Berry, 2014). Regulating devices may be of interest to journalists because of the ability to use drones to collect data to enhance news stories through using different devices that measure aspects like

radiation and temperature (Syed & Berry, 2014). The regulation of behavior may limit what people can do with a drone, or what people can shoot with the use of a drone, which may impact journalistic use depending on what those regulations cover (Syed & Berry, 2014). Furthermore, a regulation may be created that “requir[es] drone operators to obtain consent before flying over private property or filming someone” (Syed & Berry, 2014). This could slow down the journalistic process and even alert subjects to the presence of journalists, which may disrupt the watchdog function that drones provide. Finally, governments may regulate what property may be involved with taking drone footage (Syed & Berry, 2014). This possible area of regulation has potential to be the focus of drone regulation, as flying drones over private land may implicate landowners’ rights to the low-altitude space above their property (Rule, 2015). This also presents additional potential legal issues outside of government regulation.

Current laws do not provide a “definite ceiling on the three-dimensional columns of airspace controlled by landowners,” so there is a lot of uncertainty as to “where drones may and may not fly” based on laws regarding personal property (Rule, 2015). Without clear designation, a private property owner could bring an arguable claim of aerial trespass against an individual or organization that flies a drone over personal property (Rule, 2015). There is the “open access ‘commons’ resource” of airspace at altitudes above 500 feet, but that is also the area specifically controlled by the FAA and where commercial planes fly (Rule, 2015). It is not practical to use drones above 500 feet regarding visual uses for drone journalism, and there is also the need to clear flight paths with the FAA to

avoid interference with commercial flights. The airspace above private land has long been a privacy buffer for landowners, and drones are a potential threat to that privacy (Rule, 2015). Some landowners believe they have the right to shoot down drones flying above their personal property (Rule, 2015). Ultimately, the rights of private landowners is another area that needs to be considered in drone regulation, and may impact where journalists can fly their drones to get the story (Rule, 2015).

In addition to proposed and enacted legislation specifically regarding the use of drones, journalists should be aware of existing tort law. The torts that drone journalists should be aware of include trespass, intrusion upon seclusion, publication of private facts, battery, and negligence, along with other statutes such as wiretap, Peeping Tom, and antipaparazzi laws (Syed & Berry, 2014). There are many laws that drone journalists need to be aware of, even without specific drone regulation at this time, because many areas of law relate to issues that may arise using drones in journalism. Journalists must understand the law to best avoid becoming subject to a lawsuit. Journalists are “going to have to know what is legal and what isn’t” (B. Allen, personal communication, April 28, 2015). Legal regulations are likely “the largest obstacle[s] to realizing [the] opportunities” for drones to be used as journalistic tools, and journalists “must do more to resist FAA overreach” to “preserve . . . access to a valuable public forum” (Holton et al., 2014).

Even with all the current regulations, new regulations being put in place at different levels of governments, and the possibility of facing other legal

ramifications (such as tort claims), there are journalists who want to take advantage of this new technology to tell better news stories. However, “the future of [drones] as instruments for journalism remains bleak” unless journalists, as a larger whole, challenge FAA regulations and push the legal boundaries (Holton et al., 2014). As the use of drone journalism, and the drone industry in general, develops, “journalists and press advocates should remain engaged in the political process and speak out against” proposals that may “unnecessarily restrict the use of drones” in journalism (Syed & Berry, 2014). The potential benefits of drone journalism “should not be ignored by news organizations,” nor should potentially restricting regulations go unchallenged (Holton et al., 2014). Journalists themselves, through news organizations and with other agents of policy change, are in some of the best positions “to provide improved pathways to creation and dissemination” of drone journalism (Holton et al., 2014).

Research Method

The research method I will utilize will be legal research focused on the existing and proposed FAA regulations, as well as analyzing some of the more applicable common laws that will have an impact on the use of drones in journalism. Legal research is necessary in this situation, where the legal regulations and laws will have a large impact on the future of drone journalism. Analyzing the legal implications that surround drone journalism will provide journalists with an understanding of how to best ensure that they follow the law and operate drones legally as well as properly.

The legal analysis will primarily focus on the existing and proposed FAA regulations, as those will be the primary regulations effecting drone journalism. In addition to the regulations themselves, additional scholarly research and legal research may be analyzed to help evaluate individual regulations and their likely impact on the field of journalism. Regulations may be further analyzed by discussing the potential impact with legal and journalism scholars and researchers in an interview setting. Such interviews may focus on the legal implication of a particular regulation or a regulation's likely impact on the use of drones in journalism. Depending on location, such interviews may be conducted in person or through a digital format.

Targets for Publication/Presentation

Potential places for publication or presentation include:

- Association for Unmanned Vehicle Systems International's Unmanned Systems magazine, eBrief, webinar, and/or workshop
- The Drone Law Journal, Media Law Journal, Journal of Media Law and Ethics, and other legal journals
- Present in drone journalism courses/programs at universities

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