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What the New York Times Outing a Whistleblower Tells Us About Trump's Smear Campaign

Rest assured the campaign to drag this person through the mud has already begun.

By [David Uberti](#)

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The Times is never wanting for critics. Still, the paper of record gave their haters one hell of a bone to chew on with the decision to print details about the whistleblower at the heart of the Trump-Ukraine scandal.

The Times had no agreement with the whistleblower to keep his identity under wraps. Yet by revealing his supposed employment at the CIA, specialty in European affairs, and temporary detail at the White House, critics fear it could deter government employees from coming forward in

the future.

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It may also have effectively helped people inside the administration begin a campaign to drag the whistleblower through the mud.

The central question, said David K. Colapinto, a longtime whistleblower lawyer and co-founder of the National Whistleblower Center, is why personal details leaked to the newspaper in the first place.

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“I am more concerned about people in the government disclosing that information to potentially harass the whistleblower,” Colapinto said. “It’s obvious, given the president's other comments, given what was said earlier this week, that that's going to be the focus of the president's defense: to

shoot the messenger.”

President Donald Trump and his allies had already begun attacking the anonymous intelligence official as “a political hack job” when his complaint to Congress was released on Thursday morning. The document suggests that the White House attempted to cover up Trump’s July phone call with the Ukrainian president, in which Trump asked his foreign counterpart to dig up dirt on Joe Biden’s son, Hunter Biden.

When the Times ran its story on the whistleblower it cited three unnamed sources “familiar with his identity.” The newspaper also published a rare explanation from its editor, Dean Baquet, on why it considered the details newsworthy.

“We decided to publish limited information about the whistle-blower — including the fact that he works for a nonpolitical agency and that his complaint is based on an intimate knowledge and understanding of the White House — because we wanted to provide information to readers that allows them to make their own judgments about whether or not he is credible,” Baquet said in a statement.

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Progressives erupted on Twitter, arguing that the newspaper had endangered the supposed CIA analyst, and essentially participated in a scheme to intimidate him. His lead counsel likewise condemned the move in a statement to the Times.

“Any decision to report any perceived identifying information of the whistleblower is deeply concerning and reckless, as it can place the individual in harm’s way,” attorney Andrew Bakaj said. “The whistle-blower has a right to anonymity.”

There are legal protections to shield federal employees from retaliation for speaking out, and whistleblowers who don’t see action on their complaints sometimes go to the press. But this particular whistleblower was not a Times source.

More importantly, much of the criticism of the paper came before it added crucial updates to its story. The finalized framing lays out how the White House learned of the whistleblower's initial complaint as it was still being evaluated in a process meant to protect his identity.

“We also understand that the White House already knew he was a C.I.A. officer,” Baquet said in an updated version of his statement.

Trump's allies have suggested that they'd like to know more. And there's a long history of administrations trying to ferret out such personal information to discredit whistleblowers' revelations.

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In 1971, after Daniel Ellsberg leaked the Pentagon Papers to the Times, Nixon administration fixers known as “the plumbers” broke into his psychiatrist's office in Los Angeles in the hope of finding damning medical records. They came up empty. Members of the group would later help carry out a similar burglary of the Watergate building in Washington, a bungled operation that

would ultimately lead to Nixon's resignation.

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There was similar foul play in the leadup to Bill Clinton's impeachment in 1998. Pentagon officials leaked to The New Yorker information from the private personnel file of Linda Tripp, a Monica Lewinsky confidant who secretly recorded her admission of an Oval Office affair.

Colapinto helped represent Tripp when she subsequently sued the Department of Defense for releasing the records. He told VICE News that Trump's remarks Thursday at a New York fundraiser, where he appeared to advocate executing leakers to a laughing audience, suggests his administration could similarly violate the law intended to protect intelligence community whistleblowers.

"The president is in charge of enforcing that, and now he's the one leading the charge trying to unmask the whistleblower, or making snide comments that his audience is laughing about," said Colapinto, who's also represented FBI whistleblowers. "It's shocking behavior. Where do you start?"

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Cover: Clouds are seen over the White House as sheriffs present President Donald J. Trump with an appreciation plaque at the South Portico on Thursday, Sept 26, 2019 in Washington, DC. (Photo by Jabin Botsford/The Washington Post via Getty Images)

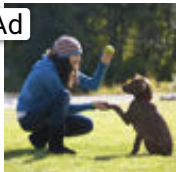
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