

# Exhibit 48

## The New York Times

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# *Trump Administration Uses Misleading Video to Justify Barring of CNN's Jim Acosta*

By **Michael M. Grynbaum** and **Elizabeth Williamson**

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The Trump administration relied on a misleadingly edited video from a contributor to the conspiracy site Infowars to help justify removing the credentials of CNN's chief White House correspondent, a striking escalation in President Trump's broadsides against the press.

Sarah Huckabee Sanders, the White House press secretary, falsely accused Jim Acosta, the CNN journalist, of "placing his hands on a young woman," a White House intern, as Mr. Acosta asked questions that irked the president during a formal news conference on Wednesday.

Television footage showed that Mr. Acosta and the intern made brief, benign contact — "Pardon me, ma'am," the correspondent said — as she tried to take a microphone away from him at Mr. Trump's behest.

But Ms. Sanders posted a 15-second video clip on Twitter that misleadingly suggested Mr. Acosta had pushed the intern's upper arm. The clip was identical to one posted earlier by Paul Joseph Watson, an Infowars contributor, according to a forensic analysis by The New York Times.

"We will not tolerate the inappropriate behavior clearly documented in this video," Ms. Sanders wrote.

Infowars, which has been banned by platforms like Twitter and Facebook, is known for spreading conspiracy theories, including one pushed by its founder, Alex Jones, that the mass shooting at the Sandy Hook Elementary School in Newtown, Conn., was a hoax. Ms. Sanders — who once encouraged Americans to view the work of James O'Keefe, a right-wing activist, "whether it's accurate or not" — declined to say on Thursday why she had distributed the video from her official White House account.

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"The question is: Did the reporter make contact or not?" Ms. Sanders said in a statement. "The video is clear, he did."

There is no evidence the video has been faked. But the editing, including zooming in and repeating several frames, exaggerated the contact between Mr. Acosta and the intern. The low quality of the video, which briefly freezes either deliberately or because of a glitch, adds to the ambiguity, the analysis showed.

The removal of Mr. Acosta's credentials, which curbs his access to the West Wing and its staff, has little precedent in the modern White House. Past presidents have clashed with outspoken journalists like Sam Donaldson and Helen Thomas, but did not restrict their access.

Still, the move against Mr. Acosta, a frequent antagonist known for challenging the president during news conferences, was not entirely a surprise.

As a candidate in 2016, Mr. Trump barred journalists from Univision, The Washington Post, BuzzFeed News and Politico from attending his rallies. As president, he has popularized the phrases "enemy of the people" and "fake news" and threatened to pull broadcast licenses and change libel laws to make it easier to sue.

The daily White House press briefing has slowly vanished. In July, a CNN reporter was barred from a Rose Garden event because White House aides said she had asked questions too aggressively.

Mr. Trump and his political team are no doubt aware that Mr. Acosta is a useful foil. "CNN sucks!" is a common chant at the president's rallies, and there is little political downside for the administration to restrict access to one of the network's star correspondents. The move is likely to rile Mr. Trump's opponents, buoy his supporters and have little or no effect on those occupying the nation's shrinking middle ground.

And, as with most things Trump, nothing was cut-and-dried.

There was the timing: Mr. Acosta's credential was stripped hours after the president fired his attorney general, Jeff Sessions, and had to explain away a difficult midterm election that handed his Democratic antagonists control of the House. Political strategists observed that a controversy over press rights, instigated by the White House, would make for a useful ploy to distract journalists and perhaps the public.

Then there were the players: a showman president and an ambitious television correspondent in the spotlight.

Mr. Acosta sometimes elicits eye-rolls from others in the White House press corps, who wonder if his aggressive questions are meant less to draw out information from Mr. Trump than to create a camera-ready spectacle. "Most of the people there were serious reporters asking serious questions," Chris Wallace, the "Fox News Sunday" moderator, said of Wednesday's news conference. "But Jim Acosta, I thought, embarrassed himself."

Dozens of other journalists disagreed with that view, offering public support. The Washington Post's media columnist Margaret Sullivan, for one, advised CNN to sue the White House on First Amendment grounds.

The move against Mr. Acosta also came shortly after a pipe bomb turned up at CNN's New York headquarters. The suspect arrested in the case, Cesar Sayoc Jr., had been photographed at a Trump rally holding an anti-CNN sign, and the authorities found a "CNN Sucks" sticker on his van.

At Infowars, the imprimatur of the White House was a welcome development.

The site has lost a chunk of its audience since being banned by several major online platforms this summer, including Facebook, YouTube, Twitter and Apple's App Store. Mr. Watson, who rose to prominence on the site, has kept his social media and YouTube accounts, providing one of the few remaining means for Mr. Jones to reach a mainstream audience.

The video tweeted by Ms. Sanders makes it appear that Mr. Acosta is making forceful, sustained contact with the intern's arm. The Infowars video also has no sound, so that Mr. Acosta's "pardon me" is not heard.

"If you look at original, higher-quality videos from other vantage points, you can more clearly see that while there was some contact between the reporter and intern, he did not strike her as his hand comes down," said Hany Farid, a digital forensics expert at Dartmouth College who analyzed the clip for The Times.

The news conference was broadcast on major cable outlets, including the public affairs network C-SPAN, meaning that she had other options than to use a clip put together by a contributor to a notorious site.

Infowars seized on the publicity that went with Ms. Sanders's use of the clip, posting incendiary items under headlines like "Did Jim Acosta Assault a Woman?" Mr. Jones did not respond to a message left on his cellphone. Mr. Watson, who is based in Britain, did not respond to requests for comment.

In a video interview posted on Infowars on Thursday, Mr. Watson acknowledged to Mr. Jones that the clip had what he called "digital artifact problems."

"I ran it through like three different programs and re-uploaded it to Twitter, O.K.?" Mr. Watson said. "That's not doctoring. Doctoring is when you change the footage deliberately." He added: "The media invented a conspiracy theory to distract from Acosta's behavior. Sarah Sanders was perfectly correct in posting this video, which is genuine, and it proves her point that Acosta placed his hands on the woman to overpower her."

"You're right, Paul, he overpowered a woman," Mr. Jones interjected.

Mr. Acosta did no such thing. On Thursday, the White House News Photographers Association said it was “appalled” that the White House had distributed the Infowars clip.

“As visual journalists, we know that manipulating images is manipulating truth,” the group said in a statement. “It’s deceptive, dangerous and unethical. Knowingly sharing manipulated images is equally problematic, particularly when the person sharing them is a representative of our country’s highest office with vast influence over public opinion.”

Mr. Trump has made CNN into one of his marquee targets. In the summer of 2017, he used the @realdonaldtrump and @POTUS accounts to share a 28-second video that showed Mr. Trump himself violently wrestling to the ground an opponent with the CNN logo for a head. “#FraudNewsNetwork,” the president added as a comment.

CNN’s president, Jeff Zucker, has recently criticized Mr. Trump in unflinching language, calling his anti-press language a danger to journalists. On Wednesday, the network said the White House’s retaliation against Mr. Acosta was a “threat to our democracy.”

Christoph Koettl and David Botti contributed reporting.

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