

# A.Jay Wagner

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## CONTACT INFORMATION

Marquette University  
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## ACADEMIC EMPLOYMENT

Marquette University  
Associate Professor of Journalism and Media Studies, 2023-present  
Interim Nieman Chair of Journalism, 2023-2024  
Assistant Professor of Journalism and Media Studies, 2018-2023

Bradley University  
Assistant Professor of Journalism, 2016-2018

Butler University  
Teaching Fellow, 2015-2016

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## EDUCATION

Ph.D., Indiana University, Mass Communication, 2016

M.A., DePaul University, Journalism, 2010

B.S., University of Dayton, Marketing, 2006

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## ARTICLES (PEER- REVIEWED & LAW ARTICLES)

Wagner, A. & Cuillier, D. (in press). To fee or not to fee: Requester attitudes toward freedom of information charges. *Government Information Quarterly*.

Wagner, A. (in press). Owning the police: Crime data, copyright and public information. *Journal of Civic Information*.

Wagner, A. (2022). Whose public virtue? Exploring freedom of information efficacy and support. *Administration & Society*, 55(1), 93-121.

Wagner, A. (2022). Popular information: An analysis of FOI use and behavior. *Government Information Quarterly*, 39(2), 1-9.

Wagner, A. (2021). Inherent frictions and deliberate frustrations: Examining the legal variables of state FOI law administration. *Journal of Civic Information*, 3(2), 29-49.

Wagner, A. (2021). Piercing the veil: Examining demographic and political variables in state FOI law administration. *Government Information Quarterly*, 38(1), 1-10.

Wagner, A. (2021). Pandering, priority or political weapon: Presidencies, political parties and the Freedom of Information Act. *Communication Law and Policy*, 26(1), 53-102.

Wagner, A. (2020). A structural imperative: Freedom of information, the First Amendment and the accountability function of expression. *Quinnipiac Law Review*, 38(2), 205-258.

Wagner, A. (2019). ‘Longstanding, systemic weaknesses’: Hillary Clinton’s emails, FOIA’s defects and affirmative disclosure. *University of Florida Journal of Law & Public Policy*, 29(3), 359-412.

Wagner, A. (2018). A secret police: The lasting impact of the 1986 FOIA amendments. *Communication Law and Policy*, 23(4), 387-426.

Wagner, A. (2017). Essential or extravagant: Considering FOIA budgets, costs and fees. *Government Information Quarterly*, 34(3), 388-395.

Wagner, A. (2016). Controlling discourse, foreclosing recourse: The creep of the Glomar response. *Communication Law and Policy*, 21(4), 539-567.

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OTHER  
ACADEMIC  
PUBLICATIONS

Wagner, A. (2023). Review of Caitlin Ring Carlson, *Hate Speech* (Cambridge, MA: MIT Press). *Journalism & Mass Communication Quarterly*, 100(2), 453-455.

Wagner, A. (2021). Review of Cass R. Sunstein, *Too Much Information: Understanding What You Don’t Want to Know* (Cambridge, MA: MIT Press). *Journalism & Mass Communication Quarterly*, 98(2), 593-595.

Wagner, A. (2019). Probing the people’s right to know: A 10-state audit of freedom of information laws. Published as an independent review of state FOI compliance.

Wagner, A. (2019) A socialist newspaper, the First Amendment, and the Espionage Act. *Journalism History First Amendment Essay Series*.

Wagner, A. (2019). Courts coverage. In T. P. Vos & F. Hanusch (Eds.), *International Encyclopedia of Journalism Studies*. Wiley.

Wagner, A. & Honeyman, S. (2017). Illinois FOIA audit. Published as an independent review of state FOIA compliance.

Wagner, A. (2016). Evaluating FOIA's annual reports. *Access Reports*.

Wagner, A. & Fargo, A. (2012). Vanishing before our eyes: Criminal libel in the United States. Report published as part of the International Press Institute's 2012 criminal libel initiative.

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#### GRANTS & AWARDS

Second Place, National Freedom of Information Coalition Research Competition, 2023

Summer Research Institute, Marquette University, 2023

Diederich College of Communication Scholar of the Year, 2022

Faculty Development Award, Office of Research and Innovation, Marquette University, 2022

Honors Program Course Development Grant, Marquette University, 2021

Third Place, National Freedom of Information Coalition Research Competition, 2021

Federal FOIA Advisory Committee, 2020-2022

First Place, National Freedom of Information Coalition Research Competition, 2020

Diederich Faculty Research Grant, Marquette University, 2020 & 2021

NFOIC & Knight Foundation Freedom of Information Legal Fund, 2019

SPJ Legal Defense Fund Grant, 2019

Regular Research Grant, Marquette University, 2019

Journal Foundation Damm Fund Grant, 2019

Robert M. O'Neil Top Paper Award, National Comm. Assoc., Freedom of Expression Division, 2017

Misiewicz Research Grant, Bradley University, 2017

Top Debut Faculty Paper, AEJMC, Law & Policy Division, 2017

Top Paper, National Communications Association, Comm. & Law Division, 2016

Future Faculty Teaching Fellowship, Indiana University, 2015-2016

Dissertation Grant-in-Aid Funding, Indiana University, 2015

School of Journalism Travel Grant, Indiana University 2012

Graduate Fellowship, Indiana University, 2011-2014

Excellence in Journalism Scholarship, DePaul University, 2010

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INVITED TALKS  
& PANELS

Fresh Thinking on Government Transparency. Invited panelist for event arranged by AEJMC Law and Policy Division and the University of North Carolina Center for Media Law & Policy. March 16, 2022.

Administrative & Advisory Enforcement of FOI laws. Invited virtual discussion with UMass law professor Richard Peltz-Steele's FOI seminar, Oct. 15, 2021.

The State of FOI: From Sheriff's Offices to Glomar Responses. Invited virtual discussion with CUNY law professor Sarah Lamdan's FOI seminar, Feb. 9, 2021.

A Guide to Indiana's Access Laws. Invited talk for *The Collegian*, Butler University's student newspaper, Aug. 16, 2017.

Public Records Reporting. A panel held as part of the Associated Press Sports Editors Great Lakes Region Meeting, Indianapolis Star offices, April 18, 2016.

Transparency in Government and Access to Information. Panel sponsored by the Indiana Coalition for Open Government, Monroe County Public Library, April 29, 2015.

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CONFERENCE  
PRESENTATIONS

Wagner, A. & Stewart, D. Opening the Floodgates: Assessing and Implementing Affirmative Disclosure. Presented at the 2023 National Freedom of Information Coalition Annual Summit (Online)

Wagner, A. & Cuillier, D. Tale of Two Requesters: How Public Records Law Experiences Differ by Requester Type. Presented at the 2023 Association for the Education of Journalism & Mass Communications National Conference (Washington DC)

Wagner, A. & Cuillier, D. To Fee or Not to Fee: Requester Attitudes Toward Government Record Copy Charges. Presented at the 2022 Global Conference on Transparency Research (Copenhagen, DK)

Anderson, J., Wagner, A. & Sanders, A. K. Who's Behind the Bench: The Case for Judicial Transparency. To be presented at the 2022 Global Conference on Transparency Research (Copenhagen, DK)

Wagner, A. Owning the Police: Crime, Copyright and Public Information. Presented at the 2022 National Freedom of Information Coalition Annual Summit (Online)

Wagner, A. Whose Public Virtue?: Exploring Freedom of Information Efficacy and Support. Presented at the 2021 National Freedom of Information Coalition Annual Summit (Online)

Wagner, A. Curiously Engaged: An Evaluation of FOI Use and Behavior. Presented at the 2021 Association for the Education of Journalism & Mass Communications Southeast Colloquium (Online)

Wagner, A. Inherent Frictions and Deliberate Frustrations: Examining the Legal Variables of State FOI Law Administration. Presented at the 2020 National Freedom of Information Coalition Annual Summit (Online)

Wagner, A. Piercing the Veil: Examining the Demographic and Political Variables of State FOI Law Administration. Presented at the 2020 Association for the Education of Journalism & Mass Communications National Conference (Online)

Wagner, A. Pandering, Priority or Political Weapon: Presidencies, Political Parties & the Freedom of Information Act. Presented at the 2020 Association for the Education of Journalism & Mass Communications National Conference (Online)

Wagner, A. A Structural Imperative: Freedom of Information, the First Amendment and the Accountability Function of Expression. Presented at the 2019 Association for the Education of Journalism & Mass Communications National Conference (Toronto, ON)

Wagner, A. Badgers' Right to Know: Assessing the Wisconsin Public Records Law. Presented at the 2019 National Freedom of Information Council FOI Summit (Dallas, TX)

Wagner, A. Requester's Paradox: Acknowledging FOIA's Defects, Moving toward Proactive Disclosure. Presented at the 2018 Association for the

Education of Journalism & Mass Communications National Conference (Washington D.C.)

Wagner, A. The Janus Movement: The Limits of the FOIA and a Move toward Public-Facing Records. Presented at 2018 Union for Democratic Communications Conference (Chicago, IL)

Wagner, A. Essential or Wagner, A. The Curious Legacy and On-Going Tribulations of Criminal Libel. Presented at 2018 Union for Democratic Communications Conference (Chicago, IL)

Wagner, A. Informing the Public, Watching the Rascals. Presented at 2017 National Communication Association Annual Convention (Dallas, TX)

Wagner, A. A Secret Police: The Lasting Impact of the 1986 FOIA Amendments. Presented at 2017 Association for the Education of Journalism & Mass Communication National Conference (Chicago, IL)

Extravagant: Considering FOIA Budgets, Costs and Fees. Presented at 2017 Association for the Education of Journalism & Mass Communication National Conference (Chicago, IL)

Wagner, A. Illusion of Control: How Financial Failures Have Undermined the Freedom of Information Act. Presented at 2017 Global Conference on Transparency Research (Limerick, Ireland)

Wagner, A. Controlling Discourse, Foreclosing Recourse: The Creep of the Glomar Response. Presented at 2016 National Communication Association Annual Convention (Philadelphia, PA)

Wagner, A. Access as an Asset: Obama's Open Government. Presented at 2014 National Communication Association Annual Convention (Chicago, IL)

Wagner, A. Who's Policing Law Enforcement? Use of FOIA Exemption 7 Relative Occupy and WikiLeaks. Presented at 2014 Midwest Popular Culture Association Annual Conference (Indianapolis, IN)

Wagner, A. Melted: Iceland's Failed Experiment with Radical Transparency. Presented at 2014 Association for Education in Journalism & Mass Communication National Conference (Montreal, QC)

Wagner, A. Digital Libertarianism: From Haight-Ashbury to Reykjavik. Presented at 2013 InfoSocial Conference (Evanston, IL) & 2014 School of Journalism Research Colloquium (Bloomington, IN)

Wagner, A. & Martin, S. Tell It to Me Straight: Opinion on Public Notice. Presented at 2013 Midwest Association for Public Opinion Research (Chicago, IL) & 2013 School of Journalism Research Colloquium (Bloomington, IN)

Wagner, A. Hope in Iceland: Information Sharing, Neoliberalism and Bakhtin. Presented at 2013 Association for Education in Journalism & Mass Communication National Conference (Washington, D.C.)

Wagner, A. The Ambivalent Martyr: Eugene V. Debs & the Espionage Act of 1918. Presented at 2013 Media & Civil Rights Symposium (Columbia, SC)

Wagner, A. & Fargo, A. Vanishing Before Our Eyes: Criminal Libel in the United States. Presented at 2012 International Press Institute World Congress (Port of Spain, Trinidad)

Wagner, A. Free Speech Prohibitions and Other Rights Denied to Mario Savio and the 1964 Free Speech Movement. Presented at 2012 Joint Journalism and Communication History Conference (New York City, NY)

MEDIA  
APPEARANCES

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Wisconsin Voices: The Importance of Government Transparency. *Spectrum News 1*, Aug. 5, 2023.

What is FOIA? Primary source for segment on freedom of information laws for WUWM's Lake Effect, Dec. 9, 2021.

Kyle Rittenhouse Trial: MSNBC Banned, Media Professors Weigh In. On-air source for story produced by the *FOX6 News Milwaukee*, Nov. 19, 2021.

Judge: Public Records Requests Don't Have to Be Emailed. Story produced by the *Associated Press*, May 9, 2021.

Sheriff's Refusal to Email Public Records Upheld by Appeals Court. Story in *The Oklahoman*, May 9, 2021.

'Tilting at Windmills': What Happens When the Public Fights for Open Records. Primary source for an *Oklahoma Watch*, a state public interest outlet, article exploring the Oklahoma Open Records Act, March 19, 2021.

Update Needed to Oklahoma Open Records Law. Editorial from *The Oklahoman* editorial board responding to my lawsuit in Oklahoma, Oct. 4, 2020.

‘Broader Principle’ at Stake in Public Records Case. Story in *The Oklahoman* covering my lawsuit against Custer County (Oklahoma) Sheriff, Sept. 25, 2020.

Citizens Not Entitled to Receive Public Records by Email, Judge Rules. Story in *The Oklahoman* covering my lawsuit against Custer County (Oklahoma) Sheriff, Sept. 23, 2020.

Wisconsin Counties Pass Open Records Audit from Marquette University Team. Story produced by the Wisconsin Radio Network covering the professional report for Probing the Public’s Right to Know, April 14, 2020.

Openness Remains a Challenge for Some Oklahoma Bodies. Editorial in *The Oklahoman* covering the professional report for Probing the Public’s Right to Know, April 1, 2020.

Officials Found to be Hostile to Records Requests. Story in *The Oklahoman* covering the professional report for Probing the Public’s Right to Know, March 20, 2020.

Not as Open as We Could Be. Story in *The Isthmus*, a Wisconsin alternative paper, covering the professional report for Probing the Public’s Right to Know, March 5, 2020.

Study: Scott, Clinton Counties ‘Exemplary’ About Answering Public Information Requests. Story in the *Quad-City Times* covering the professional report for Probing the Public’s Right to Know, Feb. 28, 2020.

How Well Do Local Officials Respond to FOI Requests. Primary source for segment on NPR Illinois, July 3, 2018.

Fact-Checking & Misinformation. Panel at the 2018 Illinois News Broadcasters Association Spring Convention, April 21, 2018.

The Illinois FOIA Is Failing the Public. Opinion piece for *State Journal-Register*, Oct. 14, 2017.

Are Facebook Users Tired of Politics on Social Media. Short news segment on local CBS affiliate, WMBD, Jan. 30, 2017.

Identifying False Information on Social Media. Short news segment on local CBS affiliate, WMBD, Dec. 6, 2016.

TEACHING  
EXPERIENCE

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**Marquette University**  
JOUR 4997 Capstone in Journalism



JOUR 4932 Opinion Writing  
JOUR 4600 Journalism History  
JOUR 4150 Investigative Reporting  
COMM 6954 The 21st Century First Amendment (graduate course)  
COMM 6825 Government Information (graduate course)  
COMM 6250 Communication as Ethical Practice (graduate course)  
COMM 4750 Media, Technology & Culture  
COMM 3800 Media Law

**Bradley University**

COM 330 Communication Law and Ethics  
COM 425 Advanced Reporting  
COM 201 Journalistic Writing  
COM 215 Basic Reporting  
HON 100 Theories and Events in Government Transparency (honors course)

**Butler University**

JR 112 News Writing  
SW 266 Media Literacy  
JR 427 Government in the Age of WikiLeaks

**Indiana University**

J 300 Communications Law  
J 110 Reporting, Writing & Editing

UNIVERSITY,  
COLLEGE &  
DEPARTMENT  
SERVICE

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**Marquette University**

University Curriculum Committee, 2022-  
University Academic Senate, 2019-2022  
Academic Program Review Committee, 2020-2022  
Ideation Review Council, 2020-2021  
Honors Mentor, 2020  
Technology Committee, 2018-present  
Axthelm Lecture Committee, chair, 2020-present  
Journalism Assessment Coordinator, 2021-present

**Bradley University**

University Senate, 2017-2018  
Scholarship Committee, 2016-2018

**Butler University**

CCOM Symposium Planning Committee, 2015-2016

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PUBLIC &  
PROFESSIONAL  
SERVICE

Federal Freedom of Information Act Advisory Committee, 2020-2022

**Reviewing**

Government Information Quarterly, Governance, Communication Law and Policy, Regulation & Governance, Newspaper Research Journal, AEJMC Annual Conference, ICA Annual Conference, IAMCR Annual Conference, MLPSC, AEJMC Southeast Colloquium