

The Tennessee Press

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Judge rules for News Sentinel, protect sources

JAMIE SATTERFIELD
Knoxville News Sentinel
November 27, 2020

Knox News has won a court fight to protect the identities of sources who assisted the newsroom in its investigation into the level of radioactive material in the Tennessee Valley Authority's coal ash waste.

Jacobs Engineering, the TVA contractor that took on the cleanup of the massive 2008 Kingston power plant coal ash spill, tried to obtain the news organization's investigative material from a Duke University professor that Knox News contracted to test coal ash samples.

Knox News intervened to try to block the move, arguing Jacobs Engineering was abusing the subpoena process in a bid to intimidate and silence critics of the firm's treatment of laborers who cleaned up TVA's massive spill at its Kingston coal-fired power plant in December 2008.

In a ruling issued in U.S. District



Christopher

Court of the Eastern District of North Carolina, U.S. Magistrate Judge Robert B. Jones sided with Knox News.

"The journalistic privilege outweighs Jacobs's interest in

disclosure of the information, and the motion to quash the subpoena is allowed," Jones ruled.

News Executive Editor Joel Christopher said the news organization will always vigorously assert its newsgathering rights.

"Without a newsroom like ours devoting tremendous time and resources to revealing the truth about how the coal ash cleanup was conducted and the dangers posed by coal ash, East Tennesseans would be in the dark," Christopher said. "We will continue to fight on the behalf of people to know about threats to their health, and to defend those who help reveal truth."

Jacobs: Give us your information

Knox News has been investigating the handling of the Kingston spill clean-up operation since 2017 and has produced a series of award-winning stories exposing allegations of mistreatment of the labor force and misrepresentation of the danger TVA's coal ash waste poses to the public and the environment.

In May 2020, the newsroom published its latest investigative findings, revealing the Tennessee Department of Environment and Conservation — tasked with overseeing the cleanup — botched its testing of the Kingston coal ash and altered radiological reports without public notice.

Knox News also revealed in that May report that it had obtained samples of TVA's Kingston coal ash waste from the 2008 spill, as well as samples of the toxic waste produced at the plant in 2017, 2018 and 2019, and commissioned a

See **JUDGE** Page 10

Tri-State Convention Postponed until June 2022

The Tri-State Convention with the Arkansas, Mississippi and Tennessee press associations that had been set for 2021 in Memphis has been postponed until June 23-25, 2022. The TPA Board of Directors will need to discuss what, if anything, TPA wants to do for 2021 in-person meetings at the Feb. 18 Concurrent Board of Directors Meeting and Business Session. That meeting is set for 9:00 a.m. Central/10:00 a.m. Eastern via Zoom call.

New public notice website going live, newspapers to be trained

STAFF REPORTS
December 18, 2020

A new public notice website platform for Tennessee newspapers is going live on Jan. 11. Every Tennessee newspaper that publishes public notices needs to register for the site and to undergo training in a virtual class (30 to 60 minutes). New user names and passwords are required.

All newspapers must post notices to the new site no later than Jan. 11. As soon as you complete your training, you may upload to the new site.

Training dates are:

Jan. 6 at 2:00 p.m. CST

Jan. 7 at 10:00 a.m. CST

Jan. 11th at 10:00 a.m. CST



An example of how the new home page of www.tnpublicnotice.com will appear when the site goes live on Jan. 11, 2021.

Jan. 11 at 2:00 p.m. CST
Contact Carol Daniels or Robyn Gentile if you need to register

your newspaper.
The Tennessee site's web address to the public is www.tnpublicnotice.com.

tnpublicnotice.com. (Newspapers will have a different address for uploading notices.)

The new platform was developed by the Illinois Press Association, and TPA is the 15th association to use it. The site is more updated in appearance and features, and is mobile friendly for the user. Notices from the past 18 months will automatically be moved to the new site by mid-January. For an example of what the new site will look like, please visit www.alabamapublicnotices.com.

TPA lobbied in 2013 for the passage of the law that requires all public notices published in

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CONTACT THE MANAGING EDITOR

TPAers with suggestions, questions or comments about items in The Tennessee Press are welcome to contact the managing editor. Call Mike Towle, (615) 293-5771; or email editor@tnpress.com. The deadline for the March 2021 issue is February 9, 2021.

The future of newspapers is local

As we continue our celebration of TPA's 150-year anniversary into 2021, the longevity of this industry still amazes me.

Growing up in the newspaper business, I always knew I wanted to work in the industry. Friends teased, of course that newspapers are dying and that I should pursue a career in some other field. But when I looked at the evidence, I could see that was far from the truth.

While many (most) industries come and go over the centuries and decades, the news industry and newspapers in particular seemed more stable than most. And within the news industry, newspapers are the longest-lived medium. While the industry might not be as strong as it was 150 years ago, when other sources of news were rare and unreliable, there is far less competition now and the market is much bigger as a result of population growth and increased literacy. And if our primary market is the 50-plus age demographic, well, that group is bigger now than it ever has been, and they hold the lion's share of discretionary income. Additionally, production costs for newspapers are lower now than in years past, reducing the need for as much top-line revenue as was once required to keep the presses running.

On Dec. 13, 1870, a group of newspaper publishers and editors gathered at the Maxwell House in Nashville to discuss the formation of a press association, which later was formed as the Tennessee Press Association. A group of about 30 TPA members gathered



**YOUR
PRESIDING
REPORTER**

DANIEL RICHARDSON

virtually via Zoom on Friday morning (Dec. 11) to honor the occasion. I applaud Carol, Robyn, and the TPA staff for organizing the event and getting so many people involved.

Speaking of Robyn, she's been a part of TPA for more than 1/5th of the association's lifetime. In December, Robyn celebrated her 30-year anniversary at TPA. As I shared with Robyn, I am only 31 years old and have been attending TPA conventions for almost that long. From my earliest memories, Robyn has been there, and in my mind has been the face of TPA. She has provided consistency through changes in TPA boards, staffs, and directors, and probably has no idea how important her role has been over the past 30 years of TPA. Please congratulate Robyn when you get a chance; let her know how grateful the TPA membership is to have been blessed by her involvement for so long.

I can honestly say that as long as I've been working with Robyn, I haven't had a single negative encounter with her or even heard of anyone else who did. We all have our days, but Robyn seems to rise above the stressors that fluster most of us. She handles her responsibilities with unmatched poise.

Going into 2021, I'd like to make a point about the future of news. It is local. After the political polarization that this nation has faced over the last several years and the life-changing experience of coping with a pandemic and all that entails, I am noticing that people are steering away from national news media. For many, it is a legitimate recommendation from counselors and mental health advisors to reduce stress and anxiety.

Many people are seeing that now, more than ever – it is their local news that impacts their lives so much more than the sensational sound bites that the national news-media amplifies. People are frustrated when they feel like there is no remotely unbiased source on TV. They watch one station and hear one story, then flip to another and get a spin that is not at all like the first. It is a breath of fresh air when these folks pick up their local newspaper and read the local news that affects their lives without the spins of any political agenda. I think we will see more and more readers return to their local news sources in 2021.

I hope you all have a wonderful 2021. Let's propel TPA forward to another successful 150 years!

Daniel Richardson, publisher of the Carroll County News Leader, Huntingdon, and group publisher of the eastern division of Music Valley Publishing, is president of the TPA for the 2020-2021 term.

NOTICES from Page 1

newspapers to go onto the newspaper's site and a statewide site. The law passed and has been in effect since 2014.

The law requires Tennessee newspapers to post the notices to their own website and to have a link to the statewide public notice site on their home page. The new platform offers a feature for newspapers to post a code on their home page. When a user clicks on it, notices for that newspaper will feed from the public notice site to the paper's site.

Board to review applications for TPA membership in February

Membership applications for Main Street Nashville and Main Street Clarksville, both owned by Main Street Media of Tennessee, are recommended for approval by the TPA Membership Committee. The Board of Directors will consider this application on Feb. 18, 2021.

If there are no objections from a TPA member newspaper by Feb. 1 then the agenda will include the application. Objections should be addressed to TPA President

Daniel Richardson (daniel@newsleaderonline.com) and Membership Committee Chairman Daniel Williams (business@parispi.net).

The objecting newspaper shall provide supporting evidence to the Membership Committee chair within 10 business days of the objection.

The board's ruling is binding.

*Staff reports
Dec. 18, 2020*

Citizen wins public records suit against Knox County sheriff

DEBORAH FISHER
TN Coalition for Open Government
December 2, 2020

A Knox County judge in November awarded in attorney's fees and expenses to a citizen who took the Knox County Sheriff to court for violating the public records law. Meghan Conley was awarded \$78,007 for attorney's fees and expenses.

The decision is another blow to the Knox County Sheriff's Office in a case replete with remarkable claims about the office's inability to locate public records or produce even the most basic records, such as arrest records, for inspection.

Chancellor John Weaver had earlier found that the Knox County sheriff had violated the public records law by denying University of Tennessee sociology professor Meghan Conley access to arrest records and emails related to the sheriff's detention agreement with the federal immigration authorities.

Weaver ordered the sheriff's office to develop a system, either manually or through a computer program, to allow access to arrest records. He also ordered the sheriff's office to stop automatically denying public records requests that were generally



Conley

phrased in terms of information sought — a tactic used by the sheriff's office when the requestor fell short of specifically naming the title or location of the record.

Conley: I hope this is a wake-up call for the sheriff's office

The award of attorney's fees and expenses finishes out the case unless the county chooses to appeal. Conley said she felt validated by the judge's award of fees.

"I really hope this will be a wake-up call for the sheriff's office. I hope it will inspire the sheriff's office to be more transparent so other people won't have to file lawsuits to access public records," she said on Tuesday.

Conley's efforts to obtain public records from the sheriff's office began in 2017. The bench trial and pleadings revealed several months of Conley going back and forth with the sheriff's office about records, and being turned away with different excuses until she finally

filed a lawsuit in 2019.

Cost of bringing lawsuit is often a barrier

Conley said the biggest barrier to getting access to the records was finding an attorney who would take the case pro bono with only the possibility of compensation through winning the case and an award of attorney's fees.

State law allows a person who has been denied access to public records to petition a chancery court for relief, but the costs of such a lawsuit often discourage citizens from using this method to enforce the law. If the person prevails and a judge determines the entity willfully denied access to records, a judge can order the entity to pay the requestor's attorney's fees.

Andrew Fels, a recent University of Tennessee law school graduate, took on the complicated case and eventually prevailed.

Dean Rivkin, a professor emeritus at University of Tennessee's law school who has litigated several public interest lawsuits, joined this summer to help with the part of the case related to award of attorney's fees. Rivkin fees were also

awarded.

The Knox County Sheriff's office had argued that the attorney's fees related to the supporting the request for the fees should not be compensated — only the attorney fees related to the public records case specifically.

Weaver disagreed, citing a Court of Appeals decision in Little v. City of Chattanooga, in which the appellate court found the lower court erred in not awarding attorney's fees under the public records law, and then, on remand, improperly reduced the fees requested. In that case, Little was awarded \$71,343 in fees.

For her part, Conley said the award of fees shows that she "can fight for my values and pay the bills."

She said she hopes the sheriff's office implements a new system for accessing arrest records soon. The judge had ordered a new system within the 30 days, which would start after the final order in the case. However, he also allowed the sheriff's office to delay "for so long as any executive order of the Governor of this State or order of the Health Department of Knox County mandates the closure of nonessential business to the public."

FOR YOUR CALENDAR

January 2021

11-12, 18-20: Investigative Reporters and Editors (IRE) January Data Journalism Bootcamp (Virtual via Zoom), ire.org

February 2021

11-25: 2021 International News Media Association (INMA) Subscription Summit. Zoom meeting. <https://www.inma.org/>
 18: TPA Concurrent Board of Directors Meeting and Business Session via Zoom 10:00 a.m. EST/ 9:00 a.m. CST
 19: DEADLINE: TPA Ideas Contest (Advertising/Circulation)
 26: DEADLINE: TPA State Press Contests (Newsroom)

March 2021

9-14: Spring National College Media Convention 2021, New York Marriott Marquis, New York, N.Y.

April 2021

5-9: Women in Journalism Workshop 2021 (virtual), presented by Reynolds Journalism Institute. Focuses on challenges, accomplishments and issues specific to women in the journalism industry today., www.rjionline.org/events/women-in-journalism-workshop

September 2021

Sept. 30-Oct. 2: National Newspaper Association's 135th Annual Convention and Trade Show, Hyatt Regency, Jacksonville, Fla.

October 2021

14-17: Fall National College Media Association Convention 2021, offered in conjunction with Associated Collegiate Press, New Orleans, LA, Sheraton New Orleans

June 2022

23-25: 2022 Tennessee • Arkansas • Mississippi Press Associations Tri-State Convention, Memphis.



Contests deadlines

Ideas Contest (Advertising & Circulation) —Feb. 19

State Press Contests (Newsroom) —Feb. 26

Judges needed for New Jersey Press Contests in January

TPA needs members to judge the New Jersey Press Association's contests the third week of January. Please sign up to judge by Jan. 5

Sign up at tinyurl.com/JudgeforNJ or email to rgentile@tnpress.com. Thank you!



Tennessee Press Service Advertising Placement Snapshot

	ROP:	Networks:
November 2020	\$171,398	\$17,964
Year* as of Nov. 30	\$1,492,009	\$210,643

* The TPS Fiscal Year runs Dec. 1 through Nov. 30

Free webinars for TPA members

Jan. 14
 Covering Science

Jan. 21
 10 Ways for Newsrooms to Get the Most Out of Their Digital Products

Register at www.OnlineMediaCampus.com. Contact rgentile@tnpress.com for the coupon code.

12 ad tips to consider when you get stuck for ideas

A single ad probably won't generate much business. The real work is done in multi-advertisement campaigns. Here are a dozen tips for you to consider, especially when you find yourself stymied for ideas:

- 1. Learn from history.** It's important to study your advertiser's marketing history. If something worked, could that tactic be applied in the next campaign? If something failed, how can that mistake be avoided next time?
- 2. Pick the right target audience.** Think specifics, not generalities. It's impossible to sell a product or service to everyone. Select a particular segment of your overall audience and aim your message directly at them.
- 3. Study the advertiser's competition.** While you don't want to duplicate what they are doing and



AD-LIBS®

JOHN FOUST

risk being confused with them, there are lessons from things they have done. For example, if they ran a successful "Christmas in July" sale last year, you may want to consider a unique off-season sale this year.

4. Extend the budget with co-op. Many retailers can get advertising assistance from the brands they carry. Brands are eager for exposure and often share the cost of local ads. There are guidelines, so be sure to check things in advance.

5. Give readers a reason-to-buy in every ad. Although the word "campaign" implies long-term advertising, today's readers might not be in the market for your advertiser's products tomorrow. That's why it's a good idea to avoid "teaser messages" and go for the sale in every ad.

6. Be consistent. Each ad should look like it belongs to the same advertiser. In addition to consistent graphics – logo, typography, illustrative elements – the writing style should be the same.

7. Schedule frequency. Be sure to run ads often enough to be familiar to your target audience. Of course, frequency should increase during peak selling times and decrease during off-season times.

8. Consider testing. Does "buy one, get one free" resonate with readers? Or does it work better

to say, "Fifty percent off, when you buy two?" The discounts are identical, but you'll never know which one is better unless you try both offers and keep count.

9. Adjust to surprises. When unexpected things happen, smart marketers adapt to the situation. For example, when the coronavirus pandemic first hit, office supply companies started promoting work-at-home supplies.

10. Mix print and online. Most newspapers offer both print and digital options. This creates greater flexibility – and bigger readership numbers – in campaign scheduling. Don't think of it as "either print or digital." Think of it as "print and digital."

11. Get the advertiser's sales team on board. The best ads in the world won't work if the advertiser isn't prepared to deal with

the leads the ads generate. When there's a special sale, everyone in the business should know the details. If there's a new product introduction, they should be able to talk features and benefits.

12. Measure results. When you track responses – and the resulting sales – you'll be in position to do more of what's working and less of what's not working. This calls for a close partnership between your paper and the advertiser.

(c) Copyright 2021 by John Foust. All rights reserved. Foust has conducted training programs for thousands of newspaper advertising professionals. Many ad departments are using his training videos to save time and get quick results from in-house training. E-mail for information: john@johnfoust.com

NEWS & MOVES

State contests' deadlines set for February

The entry deadline for the 2021 Tennessee State Press Contests is Friday, Feb. 26. Once again, the Contests will utilize the BetterB-NC online contests entry and judging platform.

There have been a few changes to categories for 2021. Community Lifestyles and Best Web Site were eliminated. Added for 2021 are the categories of Best Digital Presentation, Best Covid Feature and Best Covid News.

Entries will be submitted as PDFs in all but three categories. Those remaining in print are Make-Up and Appearance, Best Special Issue or Section, and Sunday Editions.

The entry fee remains \$10 per entry. Part of the fee will provide a \$25 gift card for each TPA member that completes the judging assignments for our reciprocal judging partner—New Jersey Press Association—in 2021.

The divisions for the contests are calculated on total weekly paid circulation. They are as follows:

- Division One: Combined weekly total circulation of 5,000 or less
- Division Two: Combined weekly total circulation of 5,001-15,000
- Division Three: Combined

weekly total circulation of 15,001-50,000

- Division Four: Combined weekly total circulation of 50,001-150,000

- Division Five: Combined weekly total circulation of 150,000-plus.

The complete contests general rules and link to entry portal will be available at www.tnpress.com. Please call TPA at (865) 584-5761, ext. 105 with any questions.

UT has partnered with TPA to co-sponsor the contests since 1940. UT will provide the winners' plaques and certificates. A determination on whether or not the awards can be presented in late summer in person or virtually will be made in the spring.

TPA needs judges to meet obligations to our reciprocal partner. Please volunteer to judge by Jan. 7. If your newspaper plans to enter the TPA contest, we ask that you provide a judge.

Ad/Circ Ideas Contest

Plan now to enter the 2021 Ideas Contest, Tennessee Press Association's contest for advertising and circulation ideas.

Entries will be submitted as PDFs online. The deadline is Friday, Feb. 19. There are no changes or additions to the categories

for 2021.

Fees are \$6 per entry. Proceeds support the educational programming for the advertising and circulation groups.

First through third places are awarded in five divisions of each category, and there is an overall Best of Show Award. The contest has 29 categories and five divisions based on circulation. A determination on when the awards will be presented will be made in the spring.

The divisions are as follows:

- (N-1) Non-daily with a total circulation less than 5,000
- (N-2) Non-daily with a total circulation of 5,000 or above
- (D-1) Daily with a total circulation less than 150,000
- (D-2) Daily with a total circulation of 15,000 or above.

All entrants will receive a link to the award winners' slideshow which features all first, second and third place winning images.

*Staff reports
Dec. 18, 2020*

Times News launches e-edition

If you've visited the electronic version of our newspaper lately, you've noticed a change of format.



Thomason

The new Kingsport Times News e-edition (www.timesnews.net/eedition), powered by Town News, is faster, easier to navigate and

contains special features that enhance the reader's experience.

For example, e-readers not only see the full replica of each page in the newspaper, but they also have immediate access to photo galleries, graphics, charts, and videos that accompany articles right from the page.

Readers also can click on puzzles, stock listings, obituaries and other features for easier reading, downloading and printing.

"This enhanced product is truly the best of both worlds," said Kingsport Times News Publisher Rick Thomason, who is also president of the newspaper's parent company, Six Rivers Media LLC. "E-readers have full access to our printed content, as well as the enhancements available only on the web.

"As the Times News and Six Rivers Media continue to evolve, we want our readers to have every

advantage available in modern media," Thomason said. "This new e-edition is another big step in that direction."

The new enhanced e-edition features two ways to view a page.

"Replica view" allows readers to see a full page at once, just like reading the print version. "Live article view" lets readers click an article to read it in long form and access the galleries and other special features.

Just select a view from the drop-down menu at the top of a page.

As always, readers can move from page to page by clicking the arrows at the side of a page. Readers also can click the "Pages" button at the bottom to see thumbnail images that enable direct navigation to any page.

To access other recent editions in the archive, scroll down from the e-edition home page or click the newspaper symbol at the top of any page.

For a limited time, complimentary access is available to the enhanced e-edition without logging in. Soon, only subscribers to the Times News — either for home delivery or solely to the electronic version — will have access.

*Kingsport Times News
Nov. 13, 2020*

See **NEWS** Page 9

Don't be too quick to close books on 2020 elections

Mention election coverage in the aftermath of this year's tumultuous presidential contest, and many newsrooms will likely turn a collective deaf ear. For most editors and reporters, the next cycle of elections is the farthest thing from their minds.

Not so quick.

This is the perfect time with fresh memories for editors and reporters to evaluate how they performed in 2020 and to identify steps for improved coverage in 2022.

Most important, examine coverage of local campaigns. Indeed, most readers were likely fixated these past months on the presidential matchup. In the end, however, community newspapers should remember they are the primary source of information for local races. That's where you want coverage to shine.

To begin the postmortem, convene a brainstorming session to reflect on some of the fundamental elements of election coverage. Among them:

Consistency of coverage: Review overall coverage from start to finish; select one race as a case study. Did all candidates receive equal treatment in their initial announcements? If candidates issued press releases, were their challengers given opportunity to



COMMUNITY NEWSROOM SUCCESS

JIM PUMARLO

respond and/or offer their perspective in the same story? How were events handled for each campaign?

Emphasize the local connection: Coverage of school board, county board or city council races is local by its very nature. But was the local perspective emphasized in statewide races? For example, did reporters quiz gubernatorial candidates on what their platforms meant for local constituents? Did you analyze the presidential contest for its impact on congressional and legislative races?

Provide forum for ideas: How did newspapers handle the predictable barrage of letters? Did deadlines allow opportunity for response, if candidates so wished? Did guidelines prevent last-minute attacks? If some letters were withheld, what were the criteria? Was the letters policy defensible and clear to readers?

Recommend candidates: Newspapers gather a great deal of information on candidates and issues including some that is not available to all voters. Did editors take advantage of their "inside view" to study the candidates and make recommendations as to which individuals would best serve their communities? At minimum, did you identify the priority issues in races as voters went to the polls?

Analyze the election: Read the election edition again. Were readers given more than just "votes and quotes"? Did stories offer some analysis of where the candidates polled best and worst, and which issues resonated with voters? Did stories help readers make sense of the results?

Expand the discussion: Any examination of coverage should extend beyond the editors and reporters directly involved. Seek the opinions of others in the newspaper office; advertising representatives who deal directly with candidates are a good sounding board. For additional feedback, ask the candidates themselves through a formal questionnaire or an informal question-answer session. Finally, consider convening focus groups of readers to identify strengths and weaknesses in the

reports. In the end, the most effective coverage is that which engages voters.

Many editors and reporters can rightfully take pride in their coverage for its thoroughness, focus on issues and reader-friendly presentation. But even the most comprehensive content is marginalized if readers don't have ample opportunity to weigh in on candidates and issues through an exchange on the editorial page.

It's unfortunate, but too many newspapers publish candidate profiles too close to the election. These stories are often the only comprehensive look at a race other than occasional reports of candidate debates. The need for early coverage is even more important today with the popularity of early and absentee voting.

The practice is just as troublesome on the editorial page. The idea of endorsing candidates, especially those in local elections, generates enough controversy without exacerbating the circumstances. Be sure to give readers and candidates alike the opportunity to respond.

A fruitful post-election discussion will be a springboard on two fronts.

No. 1, identify steps to ensure fair and thorough election coverage by reviewing the policies inherent

in the various elements of election coverage. Have a plan to develop, implement and explain policies.

No. 2, focus on organization to guide the newsroom through the months-long election season. Identifying a list of action steps and a preliminary timetable now will reap dividends for reporters, candidates and readers alike.

Jim Pumarlo writes, speaks and provides training on community newsroom success strategies. He is author of "Journalism Primer: A Guide to Community News Coverage," "Votes and Quotes: A Guide to Outstanding Election Coverage" and "Bad News and Good Judgment: A Guide to Reporting on Sensitive Issues in Small-Town Newspapers." He can be reached at www.pumarlo.com and welcomes comments and questions at jim@pumarlo.com. Pumarlo writes, speaks and provides training on community newsroom success strategies. He is author of "Journalism Primer: A Guide to Community News Coverage," "Votes and Quotes: A Guide to Outstanding Election Coverage" and "Bad News and Good Judgment: A Guide to Reporting on Sensitive Issues in Small-Town Newspapers." He can be reached at www.pumarlo.com and welcomes comments and questions at jim@pumarlo.com.

WUOT reporter obtains White House COVID-19 report

WUOT 91.9 FM reporter Claire Heddles demonstrated this past October that making a public records request to the right person is sometimes all it takes.

The White House Coronavirus Task Force is distributing to governors a weekly report on the COVID-19 epidemic. The task force does not make the reports available to the public, but they have been released in some states by local and state officials.

In Tennessee, however, Gov. Bill Lee downplayed the importance of releasing those reports in a press conference last week with Health Commissioner Lisa Piercey. And the Center for Public Integrity, which has been compiling the task force reports from various states, lists Tennessee among those states that haven't responded to its requests for the reports.



TN COALITION FOR OPEN GOVERNMENT

DEBORAH FISHER

Heddles at WUOT in Knoxville was interested in getting the report. She said she didn't bother with a public records request to the governor's office, thinking it would take too long and being uncertain whether she could get it.

Instead, she worked her local beat. In July, she had written a story about a White House task force report that had listed Knox County in a "yellow zone" that called for restrictions such as bar closures. At the time, the local health department said they had been unaware

of the White House task force recommendations. She decided to see if this time the health department had received the weekly White House task force report.

Knox County's receipt of reports prompted Heddles to submit public records request

On Thursday, Knox County Health Department Director Martha Buchanan confirmed they were in fact now receiving those reports. So Heddles put in a public records request. She received the Oct. 11 task force report on Friday, Oct. 16.

The White House report was notable in that it called for Tennessee to implement a statewide mask mandate. The governor has declined to take such a step, saying

local officials are in the better position to make that call.

Governor's office has produced records when requested by AP

If a journalist had put in a public records request to the governor's office, it's quite possible the report would have been produced. The Associated Press reported that while the task force reports have not been regularly released, the governor's office has produced them when requested by The Associated Press.

Still, it's a good lesson in the basics of Tennessee's public records law.

The statute defines a public record as "all documents, papers, letters, maps, books, photographs,

microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental entity . . ." (my boldface).

In other words, when it was received by the governor's office, it became a public record under state law. When it was received the Knox County Health Department, it likewise was a record subject to disclosure.

Deborah Fisher has been executive director of Tennessee Coalition for Open Government since 2013. Previously she spent 25 years in the news industry as a journalist. This blog was originally posted on the TCOG website Oct. 19, 2020.

TPA MEMBER COVERAGE SHOWCASE I: Jackson Sun

TLC in the ICU: Local nurses share stories from inside the COVID unit

STEPHANIE AMADOR
Jackson Sun
May 21, 2020

Life as a nurse for Danielle Wheeler and Hannah Lessenberry changed when the first cases of COVID-19 arrived at the Jackson-Madison County General Hospital. They were well equipped and prepared for what was ahead of them, according to Wheeler.

Wheeler can be seen singing with her colleagues in the intensive care unit in front of the glass doors separating them from patients who are tested for COVID-19. “Ain’t No Mountain High Enough” by Marvin Gaye starts echoing down the halls in the unit. Everyone in the unit starts to harmonize, or at least they try to.

One of the patients looks at Wheeler. “I know why you became a nurse ... because y’all can’t sing, but it’s a good show.” Wheeler and the patient start to laugh out loud and the entertainment continues. Wheeler walks around with a drawn “tattoo” on her scrubs that says “We are in this together” with a heart around the text “COVID 2020.”

“Our morale is good. That is our family; we see them more than we see our own family,” Wheeler said. “We are happy to be here for each other.”

Wheeler and Lessenberry are such close friends that some may assume they are sisters, though they look nothing alike. Working in the hospital together with the other nurses has built a support system that no one else can understand. Inside the ICU they try to show positive and hopeful attitudes to combat the moments of feeling overwhelmed.

“We know everything about each other, because we are all so close, the entire unit, they are a godsend to each other,” Wheeler said. “Those people are the reason you want to go back to work ... they are 100% your family.”

Lessenberry’s world has gotten a lot smaller in an effort to protect her and her family from the disease. She hasn’t seen her parents, her two sisters or her younger niece and nephew in the past few months. As a registered nurse working in the ICU with COVID-19 patients, she’s taking the precau-

tions to not bring anything from the hospital to her home.

“We haven’t been around my (nieces or nephews) in a couple of months. I’ve also distanced myself from my parents because of their age group. I haven’t seen my grandparents either,” she said.

However, her daily routine hasn’t changed. Wheeler and Lessenberry wake up at 4:45 a.m. and head to work around 5. When they arrive, they have to take off their scrubs and put on the scrubs the hospital provides for them, as well as a mask, head scrubs, head gear and gloves for their hands and shoes.

“I know who has the coronavirus, I know who tested for it,” Wheeler said. “My biggest fear is people who are not taking safe precautions in the public environment and passing it, that’s the biggest fear I have.”

Wheeler thinks everyone may fear getting the virus. If someone were to get the virus, they might have to go to the hospital. Then they aren’t going to see their families because no visitors are allowed.

“You’re not going to be there for them and give them that comfort that they need other than a telephone,” Wheeler said.

Precautions at JMCGRH

West Tennessee Healthcare installed ventilator tubes connecting to create a negative pressure in the COVID-19 unit to prevent any air particles circulating around the hospital. Patients who test positive for COVID-19 are treated in a negative pressure room, which is designed to prevent particles from their room spreading to the rest of the hospital.

Wheeler mentions they are stocked with masks and protective personal equipment. When Lessenberry or Wheeler are at the hospital, the procedures are just the same as before the pandemic — constantly washing their hands, not touching their faces, and being more cautious about not bringing home other diseases such as the flu.

The hospital is a lot quieter, according to Wheeler, since it isn’t allowing visitors. The biggest difference is wearing extra protective gear and getting used to the awkward hot and cold tempera-

ture in the unit. The temperature changes were relatively easy to get used to; combating the virus was not.

“This is a learning curve not only for our organization but for the whole world. This is a global pandemic, and this is a global learning curve,” Lessenberry said.

Lessenberry says that everyone is trying to figure out what medical treatment is the best and how to keep health care workers safe at the same time.

“It is overwhelming when you think about the big picture and think about how many people are at risk, how many people are working so tirelessly to make a safe working environment while trying to help these patients recover,” Lessenberry said.

Wheeler and Lessenberry share that experience together among other nurses in the hospital. Both have mentioned that there are times some people are overwhelmed and they just need a moment to recharge. The one thing they know they have is each other. The nurses will call one another at the end of the day, talk it out and be each other’s support system.

“The ICU is an intense place to work, but we form an intense bond with the people we work with,” Lessenberry said.

“That is our family,” Wheeler said. “Everybody out there is who we are, and we are just so glad we get to be there with them.”

Good spirits

Aside from the pandemic and the challenges it has created for health care professionals, Wheeler and Lessenberry always try to have fun and bring back the hope and good spirit in the hospital.

“We dance outside their window,” Wheeler said. “If people ask ‘How are you making them feel better?’ we are dancing outside their window ... it’s that humanity



Photos by Stephanie Amador/Jackson Sun

Nurse Hannah Lessenberry (above) has worked at Jackson-Madison County General Hospital Wheeler for four years and is one of many front-line workers caring for COVID-19 patients in the intensive care unit.



Nurse Danielle Wheeler.



Ventilation tubes installed at Jackson-Madison County General Hospital to better prepare for COVID-19 cases.

that we are showing.

“Most days I have a blast, I love who I work with. When you are doing something that you enjoy, that’s great, but when you are doing work with people that you love, there’s nothing better in the world than that as far as the job.”

Since the hospital has implemented a rule that no visitors are allowed, it provides devices for patients to communicate with their family through Zoom. Lessenberry knows what it’s like not being able to see her family, and she tries to ease the lonely moments in the unit.

Lessenberry recalled one of her most heartwarming moments in the unit when one patient was near death and he made a Zoom call to his family. She was there during his last meeting with his family.

“That was one of the most rewarding things that I have done in my career,” Lessenberry said. “To give his family and the patient some closure, although they couldn’t see each other in person, it was a very emotional meeting.”

The patient told her, “You don’t know how much it means to me to see them one last time.”

Words of advice

Wash your hands. Wheeler says it’s something we’ve learned since we were in kindergarten. “Don’t touch your face. Don’t pick your nose. Wash your hands.” Wheeler and Lessenberry are among the many front-line workers who are

in the hospital nearly every day covered head to toe, cheering up patients, supporting one another during hard times and staying hopeful. Lessenberry appreciates the support from the community, from the food donations to the motorcycle rides and the signs outside that say “We love our health care workers.”

“I’m grateful for my family, understanding we can’t see each other as much, and my work family,” Lessenberry said. “None of this would be bearable without them. ... I’m also grateful for the community and their (outpouring) for the health care worker. It’s very uplifting.”

TPA MEMBER COVERAGE SHOWCASE II: The Tennessean, Nashville

He grew up in low-income housing; now he designs townhouses for Habitat for Humanity

BRAD SCHMITT
The Tennessean, Nashville
September 22, 2020

He was a nerdy little kid who kept his head buried in the old set of encyclopedias his mom bought for their apartment.

Darrell L. Hayes, though, often shared what he learned with his sisters, one older, one younger.

“What do you think of this?” he asked one day while examining a rock he picked up off the ground in their low-income apartment complex in East Nashville.

“Uh, it’s a rock,” his older sister said dismissively.

Undeterred, the boy continued. “Rocks,” he said in a scholarly tone, “are a foundation we can use to build on.”

His sisters busted out laughing. There goes their dweeb brother – they called him “Mr. Professor Head” – with more weird observations about the way the world worked.

More than once, the girls and their mother came home to find Hayes in front of the toaster or some other appliance he’d taken apart to try to figure out how it worked.

And Hayes rarely missed an episode of “The Undersea World of Jacques Cousteau,” about the French explorer’s nautical adventures.

Hayes also got his hands on a Jacques Cousteau book and copied every word into a notebook, hoping to soak it all in.

“He would always say, ‘I’m

gonna be like Jacques Cousteau and explore the world,’” Hayes’ older sister, Angela Royster, said, laughing.

But this was serious business for the boy. He, his mom and his two sisters lived in a place with no car-



Submitted photo

When Nashville architect Darrell L. Hayes was a curious boy growing up in a tough area of East Nashville, his sisters used to call him “Mr. Professor Head.”

peting, one toilet and barely enough hot water for one quick shower — and the next person had to wait 30 minutes for more hot water.

He grew up in a crime-infested area where Hayes ran from violence and gunfire dozens of times.

He grew up without a dad. And he grew up with a kind, quiet mother who battled anxiety and depression and who once intentionally shot herself with a gun.

Hayes and his sisters wanted out. The Jacques Cousteau obsession

was a fantasy that freed him, albeit for just a few minutes at a time, from a tough life, Hayes and his sisters said.

“Escapism was everything,” said Dr. Jalila Hudson, Hayes’ younger sister. “It was key.”

But it wasn’t Cousteau who delivered Hayes from anxiety and poverty.

It was the boy’s intelligence, determination, and adult mentors, including a ninth-grade math teacher who convinced the boy that he was smart and he should go to college.

Hayes, 46, took that advice and graduated from Tennessee State University. He’s now an architect and licensed contractor who lives with his physician wife and their children in a big house in a peaceful Hermitage neighborhood.

And Hayes is now creating a safe, new Habitat for Humanity townhouse complex where disadvantaged kids won’t have to grow up like he did.

A bullet smacked into their railing

When he was a boy, Hayes and his sisters shared one bedroom, and one twin-sized bed, in their apartment in East Nashville’s Marina Manor Apartments. Two of them would share the bed and the third would sleep on a blanket on the bedroom floor or on the living room couch.



Photo by Larry McCormack/The Tennessean, Nashville

Architect Darrell L. Hayes at the site of Habitat for Humanity’s first townhouse complex in Middle Tennessee. Hayes designed the complex, Sherwood Commons, which is in northern Davidson County. It will be open around January 2022.

Hayes folded his thin pillow in half to make it seem bigger when he slept on the floor.

His mother constantly pushed her three children to finish their homework and study hard. But she often wasn’t there because she was working multiple jobs. She sometimes cried or locked herself in her room for a couple of days at a time.

“She was really stressed because of bills, trying to provide for three kids, disappointments from relationships,” Hayes said.

His mom eventually got on anti-depression meds, but, Hayes

said, “We pretty much had to grow up fast.”

In the neighborhood, Hayes remembered running from a shoot out one day, with a bullet ricocheting off their apartment’s porch railing just as he rushed through the front door.

Ting!

At Maplewood High School, Hayes started thriving after his ninth-grade math teacher told the teen he was an outstanding student. After that, the teacher put Hayes on the front row so Hayes

See **HAYES** Page 10

TPA MEMBER COVERAGE SHOWCASE III: Main Street Media of Tennessee, Gallatin

Bailey continues to inspire with ‘Nowhere Near the Bottom’

TENA LEE
Main Street Media of TN, Gallatin
September 29, 2020

Born blind, black and impoverished to an alcoholic and abusive father, Fred Bailey had just about every strike against him growing up.

And yet, he persevered.

The 10th of 15 children of sharecroppers in Gallatin, Bailey was diagnosed with a degenerative eye disease at the age of 10. He was sent to the Tennessee School for the Blind in Donelson where he excelled in wrestling – even competing for a state title in 1969.

Not long after graduating from the school in 1975, Bailey married and moved to Hendersonville, where he worked for General Electric for several years.

A graduate with honors from Tennessee State University, Bailey is the founder of two non-profit organizations for disadvantaged youth – Children are People in Gallatin and the Susie Brannon McJimpsey Center in North Nashville.

For years, the 67-year-old, whose accomplishments have been recognized by local, state and national leaders, has been encouraged to pen his life story

to inspire others to reach for more than they once thought was possible.

After several years of cajoling by others, and dozens of interviews with Hendersonville writer and CAP volunteer Susan Newell, Bailey’s “Nowhere Near the Bottom,” was released earlier this year on Amazon. With COVID-19 virtually shutting down the world as we know it in March, Bailey’s plans for book signings and promotional tours temporarily evaporated.

However, even with the limited exposure, he says the book is steadily finding an audience -

mostly from those who know just a slice of his story and want to learn more.

Fred Bailey’s message to others

The book carries a message, he says, that is needed now more than ever.

“I wrote that book because I needed people to have a guide,” he said. “Basically, the philosophy here is Fred Bailey. Nobody is going to give you anything. Nobody should give you anything. If you get that instilled in them, they’re going to go farther. Whatever I

became or didn’t become it was because of my own initiative or lack of.”

That doesn’t mean, however, that Bailey doesn’t appreciate the struggles of those who went before him.

He dedicated the book to his parents, Ernest and Mattie Bailey, whom he credits for instilling in him a strong work ethic, a deep sense of respect for others, and an appreciation for a good education.

“Their lives were just one step up from slavery, and they had to

See **BAILEY** Page 11

A pop-up newsroom goes digging on Facebook to share its COVID-19 news

ARIN JEMERSON & REGAN HUSTON
Reynolds Journalism Institute
September 10, 2020

When COVID-19 first hit, the Missouri School of Journalism quickly realized local newsrooms everywhere would be struggling to keep up with news about the virus. So the school created a “pop-up” newsroom called the Missouri Information Corps. We spent the summer reporting issues related to the pandemic and distributing stories and information to news outlets for free.

We also found new audiences. The newsroom was split into two teams: reporting and distribution. The reporting team produced plenty of traditional reporting. It broke stories several times, including news of outbreaks in the state’s prisons and the slow response by counties with CARES Act funds. Many of the stories were picked up by newspapers and localized.

Team distribution — Regan Huston, Taylor Guidry and Arin Jemerson, led by editor Madison Conte — experimented with less traditional ways to reach audiences on social media. As avid social media users, (Gen. Z-ers, hello!) the distribution team wanted to develop a plan to tackle the spread of that other virus — misinformation — online.

We decided to narrow our efforts to Facebook. Ultimately, we found that there’s a lot of reason for hope in the news media industry, and there’s one surprising obstacle that we hope Facebook fixes.

What we did: The process

As digital strategists, we’ve noticed an increase in the use of infographics and visual explainers on social media. These graphics are visually pleasing, easy to consume, and ready to share across all platforms. We wanted to experiment with this on Facebook. But, as a small startup, we didn’t have a following that would lead to impressive engagement on any of our posts.

We knew we had to meet people where they were. The easiest way for us to do that was to utilize community Facebook groups.

We knew the groups existed; we just had to find them. This was the least fun part of the job because it’s tedious but important scutwork. Newsrooms have always done this kind of granular research, but for stories, not to find audiences.

We made a list of every county in Missouri and then searched keywords related to that county on Facebook to find associated pages.

Before we started posting information in the groups, we made sure to introduce ourselves. We wanted to create a relationship with the community and build trust.

What surprised us

We were expecting and preparing for pushback but were pleasantly surprised by the amount of positive engagement we received. For example, our “Why Should I Wear a Mask?” infographic reached more than 5,200 Facebook users. In another post, we included a video interview with a local health department that explained why COVID information is ever-changing, and that reached more than 4,100 Facebook users.

We also decided to take our strategy one step further by responding to comments on our posts. Some users asked for tips, such as the most effective type of mask to wear. We also ran into a few skeptics.

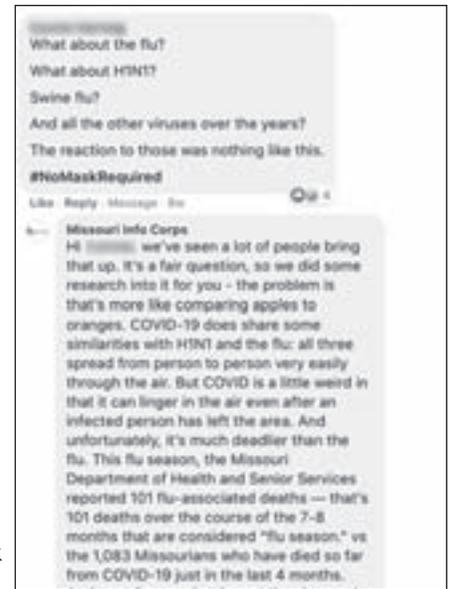
Our primary focus was sharing information, but we also wanted to be conscious of any misinformation left as comments on our posts and do our part in stopping the spread of it. To do this, we’d carefully research the false claim and respond in a friendly and informative manner while linking to trustworthy sources.

Rather than arguing with skeptics, we wanted to inform other readers of the most accurate information available. Below is one example of how we responded to a skeptical Facebook user on our “Why Should I Wear a Mask?” infographic. We were careful to be respectful and acknowledge why the question was valid, and then followed up with several links to trustworthy articles and studies to further prove our point.

Facebook errors: The takeaways

Several times while posting in local groups we ended up in what we dubbed “Facebook Jail.” After posting a duplicated copy of our infographics to a handful of groups, we received the following message: “Your Request Couldn’t Be Processed: There was a problem with this request. We’re working on getting it fixed as soon as we can.”

While we still have no clear answer for why this happened, based on a little research and similar experiences from others, we concluded that this was Facebook’s response to us posting similar messages repeatedly in groups. Maybe it was flagged as COVID-19



Submitted art/RJI

An example of the Missouri Information Corps engaging an audience member on social media.

spam instead of dissemination of trustworthy COVID-related news.

Regardless, this is an exhausting and frustrating wall to hit when you are working hard to spread reliable and accurate information to communities at-risk for mis- and disinformation. Social media

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Scandinavia’s Schibsted offers subscription success story

CELIA WU
Reynolds Journalism Institute
September 21, 2020

Scandinavia online readers lead the world in paying for online news, with 26% on average in Nordic countries answering affirmatively to the 2020 Reuters Digital News Report question, “Have you paid for online news content?” In Norway alone, the percentage of readers who pay for online news is 42%, up eight percentage points from 2019.

Publishing giant Schibsted reaches approximately 80% of readers across Norway and Sweden using premium, metered and hybrid subscription models across its national, regional, and local print and digital newspapers and magazines. Direct reader revenue, not advertising, is its dominant revenue stream, accounting for

approximately 60% of its revenue.

Subscriptions have shown to be the “perfect” revenue model for a publisher like Schibsted, in large part to the fact that readers in Schibsted’s headquarter country are indeed willing to pay for online news.

According to Reuter’s annual Digital News Report, 20% of U.S. readers pay for online news access. Out of that:

- 39% paid for The New York Times
- 31% paid for The Washington Post
- 30% went to local online papers

With advertising dollars free-falling, accelerated by a COVID-19 economy, it begs the question if subscriptions can make up for this revenue. Finding the answer to this question is an

urgent matter for the survival of local online newspapers.

I discovered Schibsted as part of my graduate research at the Missouri School of Journalism into online payments for news media. My case study was to launch a pay-by-text micropayments donations platform at the Columbia Missourian. It provided some interesting lessons, which I wrote about for RJI.

Later, I reached out to Schibsted to get their take on my findings. Tor Jacobsen, senior vice president of Schibsted’s consumer business division, said he saw a bright future for digital subscriptions. What can local U.S. publishers learn from Schibsted’s success in reader revenue? Read on:

One of the things that I

learned from my interviews at the Missourian is that print is not just a necessity, it’s a ritual. Print is still a very important source of revenue as well as readership. How important is print to Schibsted’s readers, and how have digital subscriptions affected print?

Schibsted owns the No. 1 national brands in both Norway and Sweden. And we have the biggest subscription site in Norway, and number two in Sweden. In Norway, we have both regional and local newspapers as well, and business sites in both countries.

We talk a lot about digital revenue because it’s cool to talk about where the growth is. But what is correct is that print is still very important for us. If you look at the revenue numbers, that is by far the biggest revenue

share of reader revenue. It also is the biggest revenue in Schibsted News Media.

It’s still very much an age thing. Purely digital subscribers start at age 25 and up, I think the average is more like 40 to 45. And then you have people with just print on the weekends plus digital access, it’s more like 50 to 55. Of subscribers who have print plus digital access, the typical reader is about 70 years old. So it’s a very big difference in age. But it’s a lot of revenue from loyal, long time users, and the average revenue per user is very, very high.

Is advertising revenue in print also as important? During these times of COVID-19?

Total digital subscription reve-

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Will community papers survive if metro papers fail?

PETER W. WAGNER
N'West Iowa REVIEW
December 1, 2020

Can our smaller community papers exist if most metro newspapers shut down their printed editions? I wish I could respond with a rousing “Yes,” as a committed small-market publisher. But I fear the future of most locally owned and managed community papers, with a few exceptions, is closely tied to the continued existence of big-city dailies.

My rationale is simple: There will be a huge reduction in the number of national and regional inserts; the use of print by the growing number of design studios will decrease; and it will be even more difficult to find trained reporters and editors and the cost of printing, from plates to ink to newsprint, will increase.

Use of inserts will likely disappear

The planning, creative design and printing of grocery store and other major retailer inserts is a huge expense to those businesses. It is an expense most regional and national chains can currently justify because the cost per-home-reached is minuscule. Often the rebates from major brands promoted in the circular more than pay for the actual cost of printing.

But eliminate the millions of copies being distributed through the metro papers the cost-per-piece will

definitely increase dramatically. Many chain stores are attempting to drive their customers to online circulars and daily specials. Without metro newspapers to deliver their inserts into the intercity, there is a good probability the insert business will disappear forever.

Print ads from local design studios will decrease

The hometown newspaper is already being slighted by the growing number of one- and two-person design studios that position themselves with local businesses as advertising agencies. Most such design services are more interested in selling their web design and programming services that produce, for the local agency, greater financial return. Website and Facebook management can produce daily revenue.

The time invested in preparing a print ad usually results in the smaller billing of a one-time fee. Plus, many of those small design shop entrepreneurs, born during the early computer age, consider themselves and their ideas above and beyond the traditional forms of communication.

To them, the further demise of the metro paper would be even more proof that creating and placing print ads would be waste of their time and their client's money. “Better,” they would say, “to invest in more online services through their shop.”

Pool of good reporters and editors will dry up

Some 10 years ago I was invited to spend a day as the guest lecturer at a nearby state university school of journalism.

For some reason I still do not understand, the dean had included an hour with one of the public relations classes on my schedule.

The professor in charge greeted me with the statement “Welcome to Public Relations 201. We added this curriculum because there's such limited pay and opportunity in print and television reporting.”

“Tell me,” I said, turning to address the class of 70 students, “how many of you know someone who has graduated from this program?”

Seventy hands, representing every student in the room, went up. “How many of you can attest that that person now has a good job in public relations?” I asked.

Just one hand went up in the air. “So, what are the others doing,” I asked.

Working waiting tables in a restaurant, at a car wash, a convenience store and other low-paying jobs while they waited for a good PR position to come along, the classes replied.

“So why aren't you preparing for a position in traditional journalism?” I asked. “The pay is better than you think, you get to help mold the future of your community if not the world and our industry really needs fresh, young thinkers and doers.”

My point to them is colleges and

universities no longer promote what is still called traditional journalism.

If the metro papers disappear, our schools of higher learning will place even less emphasis on teaching journalism and there will be even fewer potential employees for the remaining newsrooms.

Also, with the decline of big-city daily papers, there will be a loss of visible high-profile reporting that once enthused so many into joining the print journalism fraternity.

Production and printing costs will increase

The rule of supply and demand works both ways. If there is too much demand, the cost can go up as it often does at the gas pumps. But if there is too little demand the cost can also go up to cover the loss of volume. If the publishing industry continues to lose daily papers, or if those dailies continue to see huge losses in circulation, the cost of printing actual papers is sure to increase.

According to a 2018 study by the University of North Carolina School of Media and Journalism, about 20 percent of all metro and community papers in the United States have gone out of business or merged since 2004. That number must have been even higher by the end of 2020.

Hundreds more of our nation's newspapers have scaled back coverage so drastically that they've become what some researchers call “ghost newspapers.”

The plight of the printed paper

is everybody's business. Publishing was once a calling and a passion. Now it is often an “investment.” But investments must be nurtured and grown. Often group management, along with some community paper publishers, hope to reverse negative bottom lines and increase profits by drastically cutting the size of their newsroom. But in doing so they also reduce the amount of local news and information and the need to subscribe to their publication.

In many ways the future of the printed word looks bleak. But the future of local newspapers and the communities they serve are closely linked to everyone's political, social and economic future and comfort level. If we who believe in and are committed to our hometown papers and free circulation papers want to survive, we need to focus on how to make sure the metro papers survive, too.

Peter W. Wagner is founder and publisher of the award-winning Sheldon, IA, N'West Iowa REVIEW and 13 additional publications. This free monthly GET REAL newsletter is produced especially for publishers, editors and sales managers who still believe in the value and importance of the PRINTED paper. You can contact Wagner can be contacted at pww@iowainformation.com or (CELL) 712-348-355 for information regarding his convention programs and webinars on publishing better papers and enjoying greater profit.

NEWS from Page 4

TPA continues to make Online Media Campus free to members

Tennessee Press Association has again purchased access to the Online Media Campus to provide TPA members with free access to all webinars and archived training sessions through 2021.

Through a partnership with America's Newspapers, press associations may subscribe to Online Media Campus and provide free access to their membership.

In addition to the live webinars, there are currently 165 webinars in the archive. View the list and register for training at www.onlinemediacampus.com.

Employees of TPA member newspapers may register for webinars free of charge with a code number from TPA.

Members may obtain the code by contacting Robyn Gentile, member services manager, at rgentile@tnpress.com or (865) 584-5761, ext. 105.

*Staff reports
December 10, 2020*

Send your news to editor@tnpress.com

POP-UP from Page 8

platforms have become the new means for delivering news and it seems ironic that those of us trying to deliver legitimate news are running into obstacles that hinder us from doing so (while fake news posts about inhaling steam as a COVID recovery aid are allowed to go viral).

Our recommendations

Our experience suggests that there are audiences interested in engaging with journalists via

social media if you are transparent in your goals, respond politely and include the community along the way.

Traditional journalism is still important, but it's also important to adjust and experiment with other means of distribution as the industry continues to rely on social media. Oftentimes, we think social media is only effective for reaching the younger generations. But on Facebook, we were able to build a relationship with older audiences from rural communities and provide important information in an accessible way, all in a short period of time.

As the power of social media grows, we as journalists are losing control over the means of distribution. It's important that we learn how to meet people where they are.

Regan Huston graduated magna cum laude from the Missouri School of Journalism in 2020 and is now working at VICE as an associate video strategist.

Arin Jemerson is a 2020 graduate of the Missouri School of Journalism. She is now a social media manager for the New York Amsterdam News as part of the Instagram Local News Fellowship program.

JUDGE from Page 1

study by a nationally recognized expert on the hazardous substance: Duke University professor Dr. Avner Vengosh.

Vengosh's analysis revealed TVA's coal ash waste — the toxic byproduct of burning coal to produce electricity — contained levels of radioactive material as much as five times greater than that claimed in public records about the spill by the Tennessee Department of Environment and Conservation, TVA and Jacobs.

Vengosh confirmed the waste is dangerous to breathe, contradicting the assertions that coal ash was mostly "inert dust" that did not pose a radiological threat.

Within days of the report's publication, Jacobs slapped Vengosh with a subpoena ordering him to turn over all information supplied to him by Knox News and all communication between him and the news organization. Jacobs did not notify Knox News.

TVA, meanwhile, stopped doing business with Trans Ash, the firm the utility has long used to handle its coal ash waste at Kingston and other plants in Tennessee. TVA denied the move was tied to revelations Knox News had obtained samples from the Kingston plant.

"The contract was not terminated," TVA spokesman William Scott Gureck said. "The contract term expired, and a new vendor was selected through a competitive process."

SCHIBSTED from Page 8

nue is increasing very much. The digital subscription revenue for Schibsted was 500 million kroner (\$50 million US) in 2017. For 2020 it will be 1 billion. So it's doubled in three years, and these are very big numbers in the Nordics.

Print subscription revenue is actually pretty stable. Yes, it's going down 7%, 8% in volume, but we can make up the revenue with better prices, etc.

When you look at the advertising side, it's a totally different story. For instance, COVID-19 was a boost for us in subscriptions. But, in terms of advertising, COVID-19 caused a real drop-off for digital; for print it fell even more. It's a very hard market because you have all these other possibilities. Even though print advertising is

'Striking at core' of press freedom

When Knox News learned of the subpoena, the news organization hired North Carolina attorney John A. Bussian to fight it on behalf of both the news organization and Vengosh.

"The context, timing, and content of the subpoena make it clear that Jacobs issued the subpoena not for information to defend the underlying lawsuit, but rather to gather confidential information supporting a news story it disfavors and to chill the activity of a reporter and newspaper who have doggedly covered this important public issue for several years," Bussian wrote in a motion.

"The civil discovery process is not intended to be a vehicle to quiet critics and restrain speech. This subpoena strikes at the core First Amendment rights of the newspaper because it is intended to uncover and thereby chill the confidential and non-confidential sources with whom a reporter for the newspaper spoke in reporting a story of paramount public concern — whether coal ash from a major spill in 2008 contained much higher levels of uranium than had been previously revealed."

Jacobs has been facing federal litigation by Kingston disaster workers who say they were sickened by unprotected exposure to the radioactive coal ash waste. The firm has repeatedly denied any wrongdoing — even after a

still good money for us, it's a very pressured market.

What really went up very much were digital subscriptions. We had 7%, 8% increase in only three, four weeks. So it was a spike in 50,000 digital subscribers. For print subscriptions we saw that the volume development was a little better than it used to be when COVID really hit us.

What type of autonomy do your affiliates have in customizing your messaging and user experience to readers?

We share a lot of experience between the brands and we are also now getting into the same technology for all brands. It's in the same organization in the consumer business. Three, four years ago, this was not coordinated at all, we had totally different

jury ruled the workers had cause to bring the lawsuit, although they have to prove in a separate phase their illnesses actually were caused by coal ash exposure.

Jacobs' defense

Jacobs Engineering safety chief says coal ash 'safe,' denies Kingston workers endangered

Safety manager in Kingston coal ash spill cleanup admits workers denied respirators, masks

The firm now insists it relied upon TDEC and the state agency's public reports on the toxicity of the Kingston ash to fashion a safety plan for workers.

"If TDEC's data was flawed — as Dr. Vengosh claims his data show — then Jacobs may have a defense to liability, since it reasonably relied on the government agency tasked with measuring the amount of uranium," attorney Alan Duncan wrote on behalf of Jacobs.

"Plainly, Jacobs has no other way to obtain documentation of Dr. Vengosh's data than through the subpoena at issue in this action," Duncan wrote.

Knox News' ongoing investigation has revealed that Jacobs published in 2011 its own report on the characterization of the Kingston ash that also concluded the waste did not pose a radiological threat. That report cited test results from TVA, TDEC and the EPA as well as Jacobs' own analysis of that testing.

What TVA knew

approaches. But for the last few years, especially now, we have a much more coordinated strategy.

But still, I think it's good to test on one's own brand. For instance, after we started with a new, more differentiated packaging model one and a half years ago, we first tested on one brand of regional newspapers. After seeing it work, we pushed it out to the different brands. We first do a lot of research and AB testing, then test on other brands to see if it works.

It really does take a lot of resources to innovate. You need people, you need technologists, you need product, you need data. I learned from my research and interviews that for a local newspaper like the Missourian to survive, making a cultural shift to

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TVA's own tests revealed radium, heavy metals in coal ash before 2008 spill

Jacobs sent Barbara Scott, TDEC's head of the cleanup operation, to the witness stand in the November 2018 phase one trial in the workers' case as part of the firm's defense. Attorney Jim Sanders asked Scott specifically about TDEC's radiological findings.

"Ms. Scott, you reviewed the TDEC results of the analyses of the fly ash on the site. Right?" Sanders asked.

Scott answered, "Yes." "And did the fly ash contain arsenic?" he continued.

"Yes," Scott answered. "And did the ash contain radionuclides?" Sanders asked. "Do you know if it contained uranium?" Scott replied, "I do not recall."

"Do you know if it contained radium?" Sanders continued. Scott again answered, "I do not recall."

Scott had no training or expertise in coal ash handling, sampling or analysis when her TDEC bosses tapped her to be in charge of the cleanup operation, and she testified she had little contact with Jacobs' safety managers during her tenure at the site.

Jones, the North Carolina magistrate judge, ruled that Jacobs' claim it needed Knox News' material to

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wouldn't be distracted by classmates who didn't pay attention.

"I didn't know I was smart until he told me I was smart," Hayes said, "and after that, I made straight As in math."

A year or so later, Hayes' mother shot herself in a suicide attempt. The three children cried together for a few days, afraid their mother wouldn't survive, afraid they would be separated if their mom died.

Their mom survived. But Hayes always felt uneasy about his mom's mental health after that.

"I think I couldn't really relax until I got to college."

A year later, Hayes was traumatized again when, hanging with friends late at night in a Krystal's parking lot, he saw a gunman shoot and kill a neighborhood acquaintance just a few feet away.

Still, Hayes continued to excel academically and avoided drug dealing and gang activity many of his peers fell into.

Hayes got grants and student

both defend itself and, potentially, sue TDEC in the workers' toxic tort case was bogus.

"Jacobs has not argued that it is unable to test the soil itself or that it lacks access to the 2008 samples," Jones wrote in his Sept. 24 opinion. "It does not appear that any party in the (workers' litigation) intends to rely on Dr. Vengosh as an expert witness.

"From the materials presented, it appears that Dr. Vengosh is either an agent or independent contractor of the newspaper," the judge wrote. "In either case, the Shield Law applies.

"Here, the Newspaper commissioned Dr. Vengosh to analyze specific soil samples, provided him with those samples, and Dr. Vengosh understood that his work would be reported in the news through the publication of the article," his ruling stated.

"The relevant information at issue — the (ash) toxicity — may be obtained by alternative means ... by (Jacobs via) testing the (ash) itself or by engaging in expert discovery," he concluded.

U.S. District Judge Tom Varlan is expected to set the first of a series of mini-trials — at which the workers must prove their sicknesses were caused by coal ash exposure — to begin as early as this year.

loans and went to MTSU for a semester before transferring into TSU's engineering/architecture program.

"I was really excited to go," he said. "I knew there was a better future for me."

Hayes eventually landed a job at prestigious Nashville architecture/commercial real estate firm Southeast Venture. He helped design multi-family units in Germantown, 12 South, midtown and other upscale areas of Nashville.

Hayes launched his own architecture company, Vivid1, in 2014. He opened a construction company two years later. And his favorite project so far is designing the affordable townhouse complex Sherwood Commons in North Nashville for Habitat for Humanity.

The project is personal.

"I grew up in low-income apartments, so I understand the need for good-quality affordable housing," he said.

"Sometimes I imagine myself with my mom looking for somewhere that's affordable, in a safe community. It brings a little more purpose to what I'm doing."

BAILEY from Page 7

grin and bear a lot just so their kids could get a chance at life,” he wrote.

Bailey also dedicated the book to two younger sisters who died in infancy. “They didn’t even get a chance at life due to our deprived circumstances,” he wrote.

While working at GE in the early 1980’s Bailey first got the idea of founding a non-profit for disadvantaged youth when he saw a panel that included the Rev. Jesse Jackson on television.

“They were discussing why poor people were still having such hard times even after all this [government] money had been spent,” he writes in his book. “And as I was listening to the different panelists talk about the reasons for it – racism, bad neighborhoods, the break-down of the family unit . . . I thought that all of those things could be factors and all of those things do exist. But you can let those things prepare you rather than define you.”

Reaching out to young people

Bailey says he vowed to work one day with young people and show them what it takes to be successful in America, “Because I know that without respect and work ethic, you’re not going to make it in this system.”

Bailey founded the after-school program Children are People in 2001, first for extended family members. When they started bringing their friends, the program grew.

Children are People Interim Executive Director Susan Superczynski has worked for the non-profit organization since 2007.

“I knew about [Mr. Bailey] and CAP for some time,” she said. “I was looking for a place to feed my soul, and I’ve certainly found it. God put me here and he was like you can’t leave and I’ve just fallen in love.”

In its nearly 20 years of operation, CAP has served nearly 700 at-risk youth in Gallatin.

None of it would have been possible, says Superczynski, without Bailey’s vision.

“He’s the reason this whole organization exists,” she said. “The principles and the standards and

the components that he brought to this organization are what make it unique. It’s the work ethic. It’s the old-school mentality. The strict expectations and the genuine love for the kids.”

Superczynski also encouraged Bailey to write ‘Nowhere Near the Bottom.’

“I wanted to make sure his story was captured and not lost,” she said. “Because he is so unique and there’s still so much to be learned from him.”

Bailey left CAP in 2018 to start a non-profit in North Nashville. Named for his mother-in-law, a well-known educator, the Susan Brannon McJimpsey Center targets both at-risk youth and adults with a variety of programs.

Like CAP, the center receives no government funding.

“To me a lot of the programs now are too into the government,” Bailey said. “I got to call it the way I see it so that’s why I don’t do the government thing. I just don’t believe in it. I just don’t.”

Like he did at CAP, Bailey continues to stress personal responsibility and looking inward rather than looking to others for their



Photo by Tena Lee/Main Street Media of Tennessee

Fred Bailey, who recently penned a book about his life, stands in front of a wall that highlights graduates at the non-profit organization he founded in 2001, Children Are People.

happiness and success.

It’s a message he hopes his book conveys too.

“I found that as I got older, life doesn’t care about my blackness

or my blindness,” he said. “I truly believe that if you respect yourself and respect other people and have a strong work ethic – then you are set. You’re on your way.”

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innovate is super important. But how do you do it when resources are scarce?

I’ll guess one thing that’s easier for local newspapers in the U.S., due to their size, is that the editorial and commercial divisions work together. I do agree it needs to be KPI (key performance indicators) driven. Also the good thing, when you start with a model, you can start experimenting more. We just started testing one article from our magazine and we are getting feedback. We see that this is working, that’s not working. We’re getting more experienced and the results are getting better. I think you need a culture of innovation combined with a culture of experimentation.

You cannot just make these big plans and do it. It’s more like taking small steps all the way, and together with the editorial teams — both important things to really succeed. If you look at the old consumer departments or circulation departments in the newspapers, they were very much dis-linked from editorial. In

this field, to succeed now is very different from how you succeed 10 years ago.

Resources are a big advantage for a bigger player. The only good thing with being smaller — if you are a thousand people in the newsroom, it’s a lot harder to coordinate. For an organization to work together, it’s a little bit easier when you’re in a smaller organization. The problem, as you said, is to have the funds to finance the resources.

What is Schibsted’s end goal with reader revenue?

So let’s start with reader revenue versus advertising revenue. The share of reader revenue is increasing every year, and the share of advertising revenue is decreasing every year. We are still very dependent on advertising revenue. I think if you look at the total revenue side in the news media, it’s like 35% advertising, and 45% subscriptions. And then we have single copy sales (bought in grocery stores, etc.), which is like 20%. So it’s still huge in terms of revenue, but the share is declining. The shift from single copy sales and advertising to

subscriptions has happened in the last five years.

We have tried some tests on micropayments, but we haven’t had big success with it. I think the subscription model is probably the best model in the world because it’s super consumer friendly. You don’t need the consumer to do something every time they want to read an article. For instance, when Apple music started, I needed to choose to buy the songs, et cetera, like I did with CDs. It’s much smoother with Spotify, and now Apple music. I just pay my \$9, \$10 a month. And I don’t need to think, I have access to all the music I can imagine. And it’s the same for media subscriptions: it’s very good for the business side, but it’s also very good for the consumer. Maybe at first they just want to read this one article, but then you can sign up for a subscription for the first month for just one krone.

On micropayments per article, a reader may think “yeah, just give me this one article” — and then it probably would be the last one. If it’s priced too low, it’s not good business for us. If it’s priced very high, no one would

have it. I think the end goal is by far subscription revenue from the readers. I think especially with media, subscriptions are the perfect solution.

I think we could differentiate subscriptions. At Schibsted we have different media brands. So creating a bundle for the reader is a perfect solution that is much more customer focused. Based on your data, your needs, your subscription service, your ability to pay, your search journey, etc., a reader should have the subscription services that are perfectly suited for you, at a price level which is good for you. That’s a more customer-centric approach in designing products for each reader, by offering subscriptions from different brands to the same customers. We still have a lot of innovation and change to adopt.

How dynamic is your subscription pricing? It sounds like you need a pretty sophisticated approach using data and technology.

We have the ability to be dynamic on the price side, but we think it’s a bit risky. People can talk with other customers that

have exactly the same product but at different prices. So we have to be super customer focused by adding on different subscription products which are relevant for that reader. Then, it’s easier for somewhat more dynamic pricing because then you cannot compare your product directly with your neighbor and you have a personalized subscription. You may have three, four products from us, and he or she has two, three or four different products. It is harder to compare.

What we’re using dynamic pricing for now is to monitor price sensitivity, and we use this information when we do price increases to minimize the risk. We also use this data to understand high churn prediction modeling. Starting with data is key. All decisions we’ve made are driven by analyzing the data.

Celia Wu has worked in the media industry for more than 25 years. She received her master’s degree from the Missouri School of Journalism in May. Her graduate project focused on an area she cares deeply about — the survival of local journalism.

More than 30 take part in TPA's 150th Anniversary virtual celebration

STAFF REPORTS Tennessee Press Association December 11, 2020

Thirty-two TPA members and staffers from around the state "gathered" on Friday, Dec. 11, via Zoom virtual conference for a mid-morning "coffee break" celebration in recognition of the association's 150th anniversary.

Throughout the lively event, prizes were awarded to participants who were the first to answer trivia questions correctly.

Questions, answers, and winners follows, as do names of participants who joined the brief meeting.

Trivia prize winners:

Q. How many members does TPA currently have?

A. 130.

Winner: Chris Vass, Chattanooga Times Free Press

Q. What is the oldest newspaper still publishing in Tennessee?

A. The Leaf-Chronicle, Clarksville has published since 1808

Winner: Dennis Richardson, Magic Valley Publishing. (He started out at The Leaf-Chronicle.)

Q. What was the first newspaper published in Tennessee?

A. The Knoxville Gazette in 1791. It published in Rogersville, Tennessee for a brief period before moving to Knoxville.

Winner: Jeff Moreland, The Claiborne Progress, Tazewell.

Q. Who on the anniversary zoom has the longest association

with newspapers?

Winner: R. Jack Fishman, Lakeway Publishers. Mr. Fishman started delivering newspapers in high school. He picked up his first bundle of The Commercial Appeal at 4:00 a.m. and rode his bicycle to deliver papers each day before school in Jackson, Tenn.

Grand Prize Drawing for a Keurig coffee maker. The winner was Grainger Today, Bean Station.

Those who participated in the anniversary Zoom call (photos of some 'attendees' shown below):

Daniel Richardson, Carroll County News Leader

R. Jack Fishman, Lakeway Publishers

Mike Fishman, Citizen Tribune, Morristown

Ann Cason, Grainger Today, Bean Station

Donna Smith, The Oak Ridger

Mike Wirth, UT

Danny Peppers,

Stewart County Standard

Victor Parkins,

The Mirror-Exchange

Tony Cox, Farragut Press

Dennis Richardson,

Magic Valley Publishing

Chris Vass, Chattanooga Times

Free Press

Jeff Moreland, the Claiborne

Progress

Becky Moats, TPA

Paul Mauney, The Greeneville

Sun

Catherine Luther, UT

Jana Thomasson, The Mountain

Press

Dale Long, The Greeneville Sun

Tracey Wolfe, Grainger Today

Sara Jane Locke,

The Herald-News, Dayton

Beverly Hutcherson, Lauderdale

County Enterprise

Mike Towle

Marcus Fitzsimmons, The Daily

Times, Maryville

Krista Etter, Grainger Today

Eric Barnes, The Daily News,

Memphis

Sherri Groom, Buffalo River

Review

Gregg Jones, Greeneville

Joel Washburn, McKenzie

Banner

Carol Daniels, TPA

Robyn Gentile, TPA

Rebecca McLeskey, TPA

Earl Goodman, TPA

Alisa Subhakul, TPA



Photos by Mike Towle, for TPA

More than 30 TPA members turned out for the Dec. 11 Zoom virtual conference to celebrate TPA's 150th anniversary. Prizes were awarded in a trivia contest that highlighted the mid-morning 15-minute "coffee break," moderated by TPA Executive Director Carol Daniels.



Danny Peppers, Stewart County Standard, Dover



Ann Cason, Grainger Today, Bean Station



Catherine Luther, Director of the UT School of Journalism & Electronic Media



Earl Goodman, TPS



Dennis Richardson, Magic Valley Publishing, Camden



Mike Wirth, Dean of the UT College of Communication & Information



R. Jack Fishman, Lakeway Publishers, Morristown



Carol Daniels, TPA