

The Tennessee Press

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crave your local news**

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2021 UT-TPA State Press Contests Awards Luncheon set for Aug. 27

STAFF REPORTS
Tennessee Press Association
July 19, 2021

Newspapers across Tennessee will be presented with the 2021 University of Tennessee – Tennessee Press Association State Press Contests Awards at a luncheon to be held on Friday, Aug. 27, at the Marriott Cool Springs in Franklin, Tenn. The event will begin at noon CDT.

Seventy-nine of TPA's 131 members submitted a total of 1,208 entries to the contest this year.

In addition to the presentation of the awards, TPA President Daniel Richardson will pass the presidential gavel to TPA's 2021-22 president, who is slated to be Rick Thomason, publisher of the Kingsport Times-News and the Johnson City Press.

Registration details for the Awards Luncheon are available online at www.tnpress.com. The registration fee is \$55 per person.

This event will mark TPA's first in-person gathering since the TPA Winter Convention of February 2020. TPA asks that all registrants be fully vaccinated against Covid-19.

Archive photos,
Tennessee Press Association

In recognition of the TPA's ongoing 150th anniversary celebration, here are two among the dozens of group photos over the years taken of first-place winners in the TPA State Press Contests. Winners traditionally have been announced in conjunction with the annual TPA Summer Convention, which was canceled in 2020 because of the Covid pandemic. The photo on the top is from 1974 and the photo on the bottom is from 2002. See photos from 1960 on page 12. The 2020 SPC Awards were announced via Zoom. The 2021 awards are scheduled for an in-person event on Aug. 27.



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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 October 2021 issue is September 7, 2021.

Now we have to make people want local news

In the last six years, interest in local news has declined, for several reasons. Community newspapers can't do much about most of the causes, but there are some things they can do. It starts with understanding the problem.

Media reporter Jack Shafer of Politico wrote about it recently, first laying out the familiar arguments for local news. "Local news makes representative government more accountable, scholars claim. Books and monographs extolling the virtues of local reporting on everything from public health to economic vitality abound. When local reporting goes south, researchers tell us, political polarization, civic corruption, lower voter turnout, reduced civic engagement and even authoritarianism follow."

Then he pointed out some hard facts: "A 2018 Duke University study of 16,000 local news outlets (including broadcasters) in 100 communities deemed only about 17 percent of articles as truly local (i.e., they took place in or were about the local municipality), and just over half were hard news. Another 2018 finding by Pew revealed that only 16 percent of Americans get their news 'often' from a newspaper, further lowering the status of the press."

Facebook found published local news lacking

When Facebook looked last year for local news to include in its new 'Today In' section, "It found that one in three of its users lived in places where there wasn't enough local news published to sustain the section," Shafer wrote. As for TV news, most Americans' main source of local news, Shafer cited a 2018 Emory University study suggesting that "low-cost, quality national news online ... has siphoned off readers who might otherwise partake of local news."

Surprisingly, Shafer did not mention the study's top two findings. The researchers found "substantial increases in coverage of national politics at the expense of local politics," and "a significant rightward shift in the ideological slant of coverage," driven partly by Sinclair Broadcasting, which disproportionately serves TV markets with large rural audiences.

And what was going on during the study period? Donald Trump was getting elected, dominating



THE RURAL BLOG

AL CROSS

news coverage with his unorthodox approaches, and attacking traditional news media as "fake news" and "the enemy of the people."

That affected rural and community journalists even before Trump was inaugurated, as I wrote on The Rural Blog in 2017. The latter piece was about Walla Walla editor Brian Hunt's "calm, respectful but strong defense of journalism and its essential role in democracy."

In the last four years, some newspapers (notably those of Arkansas-based publisher Walter Hussman) have done a better job of regularly explaining how journalism is supposed to work, but I don't think most news outlets do that well.

They also largely fail to remind Americans of the differences in news media and social media. You've probably read the following elevator speech in this space before, but it's worth repeating, so you can repeat it: News media practice a discipline of verification; we tell you how we know something, or we attribute it. Social media have virtually no discipline, and no verification.

Social media and the torrent of other online information leave readers with less time to consume local news. And that news is often not as interesting or entertaining as what they are getting from outside their community. Trump steered many people away from local news and toward national news, community editors and publishers have told me.

'Huge uptick in local interest of national news'

Mike Buffington, who publishes five Georgia weeklies, wrote, "During the Trump tenure, we saw a huge uptick in local interest of national news. When we'd write about local controversies, not much reaction. But when we'd write about Trump or national politics, all hell would hit. (All of our editors wrote mostly anti-Trumpism columns and editorials.)"

Mike also wrote that social media have "so distorted reality that a lot of people live more online than in their own towns."

Those towns, communities of geography, are the basis for local news outlets. They now compete with social media's communities of interest; the more time people spend with them, the less time they have for their geographic communities. That drives down newspaper readership, which means fewer ads, which leaves less room for news, which further reduces readership and continues the downward spiral.

Stopping the spiral requires smart decisions about giving readers what they want, while also giving them what they need to be good citizens. The real trick is making them want what they need.

If your readers don't seem to be interested in government coverage, maybe it's because you're not making it interesting. I read too many newspapers in which government coverage focuses on meetings. It's an essential watchdog function, but covering a meeting is like watching a train pull into a station, discharge and take on passengers, and leave. You get glimpses of the passengers, but have no idea of how they may be interacting on the train.

There's a lot more going on among members of local public agencies than among people on a train. Those members usually have different perspectives, and many like to share their views, which can produce good stories. They can also be good sources of fact — sometimes, facts that other officials would rather keep quiet.

Stories that go beyond meeting coverage are not only more interesting; they are testimony to the value of a local newspaper.

This is just one example of how we can get Americans interested in local news again. We can't just talk about why newspapers are needed. We have to prove it.

Al Cross edited and managed rural newspapers before covering politics for the Louisville Courier Journal and serving as president of the Society of Professional Journalists. He is the extension professor of journalism at the University of Kentucky and director of its Institute for Rural Journalism and Community Issues, which publishes The Rural Blog at trjci.blogspot.com and the Midway Messenger at MidwayMessenger.org.

TPA Foundation board announces new and renewed grants

Though, again, we are not able to gather in person for a convention this summer, your press association leadership has continued to move us forward. Board members of the Tennessee Press Association Foundation met, virtually, in July to review and approve grants to groups who are or will make a difference for our industry in Tennessee.

The TPAF Board approved funding for some groups and programs familiar and new, including

- Legal Hotline, a program I know you know well. The Tennessee Press Association and TPAF fund the legal hotline through Hollow and Hollow, LLC. All TPA members have access to call and ask legal advice regarding your businesses.

- Again covering the cost to send students to our (fingers crossed) 2022 Winter Convention. The board agreed it was very important to have students in



FROM THE EXECUTIVE DIRECTOR

CAROL DANIELS

attendance at this convention, so some funds will be directed to invite journalism/media students to join us this winter.

- The Tennessee Coalition for Open Government (TCOG). TCOG's work on open meetings and access for journalists across the state is often crucial in our members' ability to hold government accountable. The TPA also works very closely with TCOG during legislative session, many of the bills that we work on are often in conjunction with TCOG. Deborah Fisher is also a contributor to the Tennessee Press and shares her columns with papers regularly.

- Tennessee History for Kids, Bill Carey's mission to ensure that our state's history is fresh in our minds and useful in guiding our futures. Several of your publications were publishing his columns up until last year when he had to stop writing. With this TPAF funding he will be supplying all TPA members with three columns per month for the next year. There will be no cost associated with them for your publications. This is a good revenue opportunity for members by finding a sponsor for the popular and educational columns!

- The Reporters Committee for Tennessee. The TPA and other journalism groups were instrumental in making Tennessee one of four states that directly benefited from a Knight Foundation grant to the national organization for access and accountability. With the Knight funding, Paul McAdoo became a dedicated lawyer for open records and access in

our state. This TPAF funding will be part of a campaign to keep Paul in Tennessee. The Reporters Committee is different from our legal hotline as it takes on cases (including litigation as needed) that will make the biggest impact to our journalism and mission to hold government accountable.

TPAF funds programs that amplify and extend the work you do and help keep our profession vibrant in the changing landscape we face. To further that mission, the foundation is working on ways to increase its available funds. The board would love to hear your ideas. If you have any questions, please feel free to send me a note or give me a call.

Thank you,

Carol

Carol Daniels is executive director of the Tennessee Press Association.

NEWS & MOVES

Barry joins CC Times as editor

The Crockett County Times, Alamo, is proud to announce the addition of Dr. Ron Barry as the newspaper's editor. After beginning his career at the Lebanon Democrat in the 1970s and later providing distinguished service in area



Barry

governmental organizations, Barry began full-time at the Times on July 13.

A seasoned journalist, Barry is looking forward to helping tell the story of Crockett County from week to week. "Everyone has a story to tell," he said.

Barry began his career in 1971 as the sports editor of the Lebanon Democrat, then a daily newspaper in Wilson County. While in Lebanon, he had the pleasure of interviewing entertainment personalities such as Paul McCartney and Alice Cooper. He twice received the Tennessee Press Association's award for "Best Sports Editing," for daily newspapers, besting larger publica-

tions such as The Tennessean and Memphis' Commercial Appeal.

In 1979, Barry transitioned from journalism to education, starting out serving as assistant professor, coach, and sports information director at Union University, where he also taught later as an adjunct professor from 2000-2006.

*The Crockett County Times, Alamo
July 21, 2021*

Rouse retires after more than 4 decades in newspapers

Rust Communications Regional Publisher Shelia Rouse has announced she will retire after spending more than four decades in the newspaper industry. Current General Manager Mike Smith has accepted a promotion to fill the role vacated by Rouse, effective Aug. 6.

Rouse, 56, has been employed by Rust Communications since September of 1993. Announcing her retirement, she said the time has come to focus on herself, as well as her family and her well-being for the first time since she was a teenager growing up in



Rouse

Kennett, Mo. "I've really thought about retiring for several years but I love the newspaper, I love the staff, and I love the Rust family so it's been a difficult decision," explained Rouse. "On one hand it's extremely difficult for me to retire, however, I need to think about my family and my health. I wanted to be able to retire young enough to enjoy doing the things I've always wanted to do."

Rouse began her career with Rust Communications in 1993 as a salesperson at the Daily Dunklin Democrat in Kennett, Mo. In 1995, she moved to Dyersburg as a sales consultant for the Dyersburg News. Six years later, in January of 2001 when Rust Communications acquired the State Gazette, Rouse was named publisher.

In 2014, Rouse was named regional publisher and began overseeing multiple properties in Tennessee, Missouri, and Arkansas. In addition, she was also named Advertising Strategic Operations Team Leader working

with advertising managers in multiple states.

Smith, 54, a native of Dyersburg and 17-year employee of Rust Communications, began his career at the State Gazette in 2004



M. Smith

as sports editor. After spending a decade covering local sports, he was promoted in 2015 to the position of managing editor. In 2017 he accepted the position of general manager at the State Gazette as well as numerous Rust properties in Missouri and Arkansas.

"While I certainly appreciate the opportunity to fill the role of publisher, I'm also somewhat disappointed to see Shelia decide to retire," Smith said. "I'm very happy for her, however, she's been more than my publisher for 17 years. She's also been a great friend and we've faced many battles together through the years. The knowledge regarding the newspaper industry I've learned from her is something I'm very

See **NEWS & MOVES** Page 4

FOR YOUR CALENDAR

August 2021

- 19: TPA concurrent Board of Directors Meeting and Business Session, via Zoom conference at 10 a.m. EDT/ 9 a.m. CDT.
- 19: TPS annual stockholders meeting via Zoom at 11:30 a.m. EDT.
- 27: 2021 UT-TPA State Press Contests Awards Luncheon, Noon CDT, Marriott Cool Springs, Franklin, Tenn.

September 2021

- 1-5: 2021 Society of Professional Journalists (SPJ) National Convention, New Orleans, La. Visit spj.org for more details as they become available.
- Sept. 30-Oct. 2: National Newspaper Association's 135th Annual Convention and Trade Show, Hyatt Regency, Jacksonville, Fla.

October 2021

- 14-17: National College Media Association Fall Convention 2021, offered in conjunction with Associated Collegiate Press, New Orleans, Sheraton New Orleans
- 15-16: America's Newspapers Family Owners and Next Generation Leadership Conference, The Broadmoor Hotel, Colorado Springs, Co.
- 17-19: America's Newspapers Senior Leadership Conference, to address challenges newspaper industry continues to face, The Broadmoor Hotel, Colorado Springs, Co.

March 2022

- March 8-13: 2022 Spring National College Media Association Convention, New York Marriott Marquis, New York, NY

June 2022

- 23-25: Tri-State Press Convention June 23-25, 2022 Arkansas • Mississippi • Tennessee, to be held in Memphis

Lessons from failed advertiser provide route to success

I remember talking to Clark about his early days in advertising. When he started his then-small marketing business, one of his first clients was a fast-food establishment that needed help with an introductory campaign. Although the store manager knew almost nothing about advertising, he understood that it was important.

According to Clark, three factors drove the advertising strategy: (1) the budget was severely limited, (2) although it was a national brand, the business was new to the market, and (3) a large university was about two miles away.

“In those pre-Internet days, the college market was the store manager’s best option,” Clark said, “and I figured the surest way to reach those students was through the



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college newspaper. The challenge was to give them a reason to travel two miles for fast-food. I decided to run a series of quarter-page ads, with discount coupons. The price fit the manager’s budget, and the coupons would give him a way to measure results. Each ad had a code number on the coupon, so he would know which days of the week drew more responses.”

When Clark dropped by the

store after a few ads ran, the store manager held up a big paper grocery bag which was overflowing with coupons. There was no organization at all, and it was obvious that coupons had been mixed together in the bag. The ads had pulled in some customers, but – even though they had discussed the significance of measuring results – the manager clearly had no interest in following through.

“Unfortunately, that fast-food place didn’t stay open very long,” Clark explained. “For several years after it closed, I wondered if I could have provided more help. But eventually I came to realize that advertising alone can’t keep a business going. People were willing to try the restaurant once, but the food simply wasn’t good enough to

bring them back. The store manager had a gruff personality that may have turned off customers. I also heard that there were staffing problems and issues with state restaurant inspections.”

Although that was a painful experience, it taught Clark some lessons which benefited him in later campaigns. “The first lesson was the importance of a system for clients to track ad responses,” he said. “That can be as simple as a box with folders to organize coupons. Or it can be as sophisticated as a spreadsheet or tracking software.”

“The second lesson was to develop a way to capture customer information – at least a name and email address. That can be done with some kind of loyalty program, a requirement to provide

information before downloading an online coupon, or an in-person sign-up for future deals.

“The biggest lesson of all,” Clark said, “was the first-hand observation of the power of the consumer’s in-store experience. The ultimate goal is for the customer to see the store as worth a second, third and tenth visit. Experience, not advertising, is the determining factor in customer loyalty.”

(c) Copyright 2021 by John Foust. All rights reserved. John 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 from Page 3

proud to have and I’m excited about having a new challenge in front of me.”

Rouse hired Smith in 2004 and later recommended him for the publisher position.

*State Gazette, Dyersburg
June 25, 2021*

Former State Gazette photographer wins Pulitzer

Former State Gazette photographer Joe Songer, who began his journey at the State Gazette in Dyersburg, recently won a Pulitzer Prize in June for the National Reporting category.

On Friday, June 11, the Alabama Media Group AL.com and three other media outlets were notified of being awarded the Pulitzer Prize for National Reporting involving a yearlong investigation that began with AL.com investigating reported violent encounters involving a police dog and its handler in a small Alabama town.

Songer worked alongside others in creating a project that included a first-of-its kind database. The police dog project won in the national reporting category with finalists including The New York Times and The Wall Street Journal.

Describing the day he was notified of his award, Songer stated, “I was on a cart about to begin a day of golfing with some buddies,



Songer

as I was recently retired, and my phone in my pocket was ringing, and ringing, just buzzing non-stop. Among many other texts, I had a call from my former boss who said if I am

not sitting down for the news I was about to hear I needed to. They told me, ‘You and the team won the Pulitzer Prize for your work’. It was a surreal experience.”

Songer credits his early beginnings in journalism to the State Gazette and the employees who trained him.

“The State Gazette gave me an opportunity to hone in my craft and my skills of photojournalism. I covered spot news, sports, and features. I learned so much back in the days of film and dark rooms. My job was to shoot photographs for the paper five times a week. We had Associated Press but no photo wire. Being able to set up the dark room myself, practice and experiment gave me great experience to work with,” Songer said.

Right after graduating college from University of New Orleans for Journalism in 1977, Songer moved to Dyersburg for an internship that was offered to him by the State Gazette, which eventually turned into a full-time position. From 1978-1982, Songer spent his time

as a full-time photographer at the Dyersburg State Gazette. While in Dyersburg, Songer and his wife had two children.

*State Gazette, Dyersburg
July 8, 2021*

Smith joins Chronicle staff

The Humboldt Chronicle proudly announces Katrina Smith has joined the staff as the new associate editor. Smith brings experience in journalism, photojournalism, communications and social media to the newspaper.

“With a working faith, hope and love, I am so excited about becoming the associate editor for the Humboldt Chronicle,” Smith said. “This is a great opportunity that will enable me to do what I love and that is to learn more diversity and to communicate.”

Smith’s roots run deep, being born and raised in Humboldt. She graduated from Humboldt High School in 1996 and attended UT Martin, studying communications. She later attended West Tennessee Business College and is now a senior at Lane College.

“Sometimes you just know when you find the right person, the person that fits and will seem right at home,” Humboldt Chronicle Editor Danny Wade said. “During her interview, Katrina’s energy and enthusiasm let us know we had found the right person for the job.”

Smith says she is an optimistic



K. Smith

person, eager to learn, accepting all challenges and dedicated professionally to the call of duty.

“People often say the sky is the limit but I say, there are no limits in limit.”

Smith said. “You can go as far as you want if you believe and work towards the bigger goal.”

As associate editor, Smith will gather news, write articles, take pictures and lay out newspaper pages. But like any small

business, everyone wears many different hats. Smith said she welcomes taking on those duties and responsibilities.

*The Humboldt Chronicle
June 22, 2021*

Expositor reduces frequency

The Expositor of Sparta began publishing on Thursdays only, eliminating its Monday edition. Readers were advised of the change along with a new subscription rate of \$40 annually. The changes were effective July 1.

EMPLOYMENT OPPORTUNITIES

Reporter—The Kingsport Times News is looking for a motivated and aggressive general assignment reporter to cover all things Hawkins County, Tenn. We need someone who goes beyond routine meeting and police coverage, someone who holds public officials and local leaders accountable, someone who has a knack for capturing conflict and the human element. The ideal candidate needs to report to all platforms.

Applicants need to email a resume, links to work samples and a letter explaining why they want to live and work in Northeast Tennessee to: Editor Rob Walters at rwalters@timesnews.net

Reporter—The Bristol Herald Courier has an immediate opening for a full-time, enterprising city government/data projects reporter. We are seeking an energetic, curious and enthusiastic self-starter with a passion for community journalism. He or she will cover all aspects of government and life, from politics to business, education and feature stories, on the Tennessee side of the city and tackle data-driven projects. Some police/general assignment reporting will be included. time management skills and the Contact Susan Cameron at SCameron@bristolnews.com.

Post your newspaper’s job openings at www.tnpress.com

Special projects, big or small, energize staff and community

I fondly characterize newsrooms as organized chaos. That definition has aptly described operations for the past 18 months with the impact of COVID-19. The story has demanded constant attention, and there are likely fewer reporters to handle the task due to the economic toll of the pandemic.

As we begin to return to some level of normalcy, it's a great time to recharge – to brainstorm special projects that have unfortunately gone by the wayside. It's a great way to energize your staffs and simultaneously deliver great content.

Special projects, you say? We are barely treating water handling daily chores.

Such a reaction is understandable. Mention big projects and the mind-set often focuses on in-depth series that can take weeks to plan, research and write, and then will be published over multiple days. Newsrooms, no matter their size, should strive to do those projects, even if produced only once a year.

But special projects also can



COMMUNITY NEWSROOM SUCCESS

JIM PUMARLO

mean generating more substantive reports in everyday news. These projects can be just as “big” in terms of providing expanded coverage. And they can be done without overwhelming newsrooms strapped for time and resources.

Broadening your definition of big projects also presents opportunities for fresh approaches to stories done year in and year out.

A few examples:

Annual reports on a variety of topics are regularly presented at meetings. Statistics are often regurgitated with little interpretation. As an alternative, review reports for the most compelling highlights. Tell a story by put-

ting names and faces behind the representative data. It's a great way to introduce individuals not regularly showcased in your news columns. A sidebar can detail the overall statistics.

Pursue second-day coverage. How many times do you cover spot news, and then drop a story? There's often more to be told by probing beneath the surface. These stories are also a great way to distinguish your newspaper from outside media that sweep into a community for the big story and then are rarely seen again. Supplementary and complementary coverage is especially worthwhile and effective when reporting on sensitive and challenging stories that may initially prompt reader complaints of sensationalism.

Local governments pore months over data preparing annual budgets. Newsrooms too often simply give blow-by-blow meeting reports. Instead, connect early with the appropriate folks at city hall, the courthouse and the school dis-

trict to develop a series of stories that offers meaningful analysis of numbers.

By all means, newsrooms still should take the time and initiative to pursue the once-a-year projects. Remember, if you're going to devote the time and effort, you want to identify those packages that will strike a chord with readers. Solicit citizen comments and suggestions on topics that will resonate with your audience. Your newspaper can play a valuable role in researching and advancing conversation on challenges facing the community.

As you explore in-depth projects, pay attention to the calendar. Are there times of the year where workloads might be lighter and it's easier to devote extra resources? Planning and organization are especially important. Online project management tools can help to assign and schedule responsibilities. Using one place to check all your tasks keeps everyone running at the same pace.

Little projects and big projects alike, I pose a challenge to all news operations. Everyone should strive to deliver the chicken dinner – and the steak extravaganza, too. No matter how big your newspaper, don't forget the little things. And, no matter how small your newspaper, take the time to pursue the big projects, too. The combination keeps you relevant to readers and advertisers.

Jim Pumarlo is former editor of the Red Wing (Minn.) Republican Eagle. He 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.

6th Circuit says school board's public comment rules violate First Amendment

A citizen cannot be thrown out of a public meeting simply because he or she offends, antagonizes or harshly criticizes a governing body or members of a governing body during a public comment period, the 6th U.S. Circuit Court of Appeals said in July.

The court ruled in *Ison v. Madison Local School District Board of Education* that an Ohio school board's policy prohibiting “personally directed,” “abusive” and “antagonistic” comments violated free speech rights under the First Amendment.

The government can't prohibit speech purely because it disparages or offends, the court said. Doing so would be discriminating against speech based on the viewpoint of the speech.

The ruling is a victory for citizens who are muzzled by government during public body meetings for speaking out against issues.

Although the dispute about the school board policy took place in Ohio, the 6th Circuit Court's jurisdiction includes Tennessee.

The case started after Billy Ison, a resident of Butler County whose



TN COALITION FOR OPEN GOVERNMENT

DEBORAH FISHER

children and grandchildren had graduated from local schools, was escorted out of a school board meeting by a security officer when he criticized the board for suppressing opposition to pro-gun views. (Ison and others were upset about the school board's actions after a school shooting that injured four students.)

The school board president, David French, said that he asked to have Ison removed because Ison “was being basically unruly, not following the rules, being hostile in his demeanor.” He said he allowed Ison to speak “until other people were starting to object and getting offended by it.”

Ison and three others sued the board over its public meeting policy that authorized the presiding officer to:



Submitted photo, Tennessee Coalition for Open Government

In this 2015 file photo by TCOG, a group of citizens in Greene County attend a court hearing to challenge a citizen's expulsion from an industrial development board public meeting after he complained to the board about not being able to hear.

1. Prohibit public comments that are frivolous, repetitive, and/or harassing;
2. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, off-topic, antagonist, obscene, or irrelevant;
3. Request any individual to leave the meet when that person

does not observe reasonable decorum; (and)

4. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting.

A federal district judge dismissed the case, saying the school board's policy was valid.

On appeal, the 6th Circuit said parts of the school board policy violated the First Amendment. In exploring the school board's policy, the court said:

“The antagonist restriction, by definition, prohibits speech opposing the Board. See *Antagonistic*,

See **FISHER** Page 8

Free webinars for TPA members

How to Use Light and Composition to Make Compelling Photos

August 20

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What the Digital News Report 2021 means for your audio strategy

The Digital News Report, the latest edition of which was published at the end of June, is a must read for anyone who wants to understand the behaviors of online news consumers.

Now in its tenth year, the annual study from the Reuters Institute for the Study of Journalism (RISJ) now features insights from 46 different countries and 92,000 respondents.

As in previous years, the report offers analysis at a country and continental level, as well as cross-cutting issues such as paying for news, gateways to content and trust in media.

Clocking in at 164 pages, and accompanied by a wealth of other resources, including a 192-page slide deck, there's a lot of data and analysis to wade through.

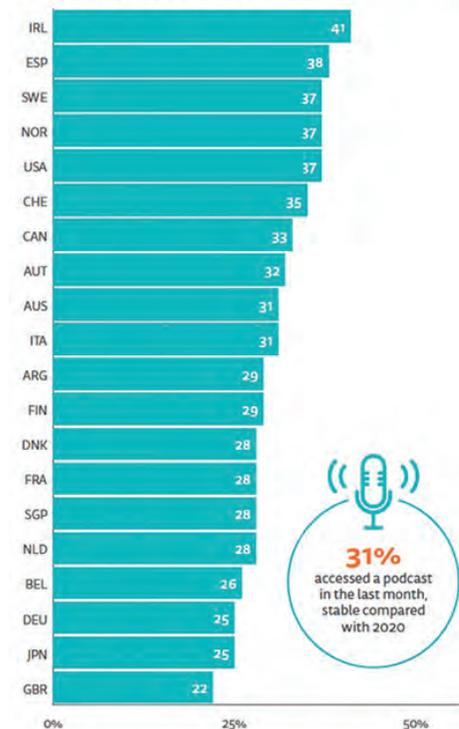
With that in mind, here's a summary of the key takeaways through the lens of audio. The report identifies some key trends in the space, as well as other insights which have implications for audio strategies at newsrooms large and small alike.

1. COVID hasn't shifted the podcast needle

At the start of the pandemic, there was a rush by newsrooms to create new pandemic products, a trend that included podcasts and newsletters.

"Podcasts have become a key part of many lockdown routines," the report notes,

PROPORTION THAT LISTENED TO A PODCAST IN THE LAST MONTH - SELECTED MARKETS



31% accessed a podcast in the last month, stable compared with 2020

Q1F 2018. Which of the following types of podcast have you listened to in the last month? Base: Total sample in selected markets (n = 2009).



DIGITAL NEWS REPORT

DAMIAN RADCLIFFE

"with more consumption at home," but "the net impact on consumption seems to have been neutral."

One reason for this, the author says, is "disruption to the daily commute, traditionally a key time for listening." That's certainly true for my own listening, but it's worth noting that in the U.S. research has historically suggested that the bulk of podcast listening — even pre-COVID — was done at home.

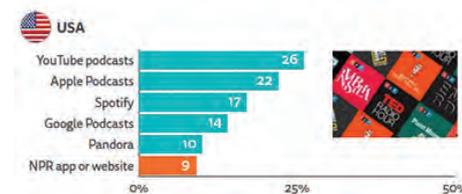
Implication: Podcasting hasn't really changed during the pandemic. Podcast advertising may be on the rise, but reach looks pretty similar to before the COVID-crisis.

2. YouTube is the USA's most popular podcasting platform

Yes, you read that correctly. In the States, the most popular platform for podcasts (based on a sample of 2,001 digital news consumers) is YouTube.

One reason for this, the report contends, is that "the growth of video podcasting, accentuated by the use of tools like Zoom during the pandemic, is opening an even wider range of options for distribution."

With podcast conversations recorded over Zoom, or other video calling apps, it's easier than ever to record - and distribute - these discussions on video platforms. Zoom allows you to share live calls on YouTube and Facebook, while the audio can also be downloaded separately and uploaded to SoundCloud, iTunes et al.



The YouTube podcasting trend isn't a unique bi-product of COVID. Podcasters like David Axelrod, Joe Rogan and others, have long distributed their shows on the video platform, using a simple studio setup. Interestingly, among students in my audio class last term, several mentioned that they only consumed podcasts via YouTube.

Implication: If YouTube isn't already part of your audio distribution strategy, then data from the Digital News Report suggests that it really should be.

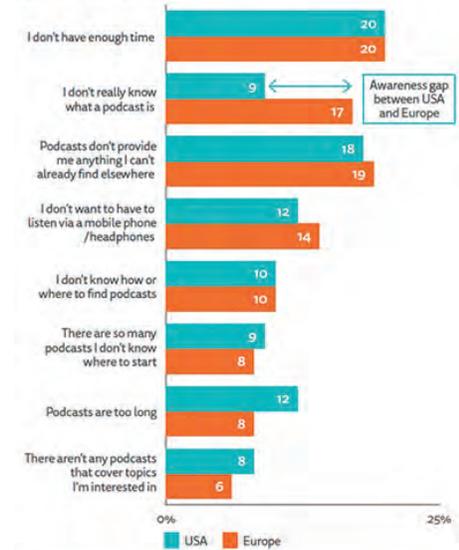
3. Lack of time is the biggest barrier to podcast consumption

When it comes to the main reasons why people don't listen to podcasts, in the U.S. this is led by not having enough time (20%), lack of unique content (18%), length (12%) and having to listen "via a mobile phone or headphones" (12%).

The takeaways of this for newsrooms, would seem to focus on addressing issues of length ("podcasts are too long") — which may well also address issues of not having time to listen.

Similarly, the editorial proposition is also

MAIN REASONS WHY PEOPLE DO NOT USE PODCASTS - EUROPE AND USA



Q1F_NOTLISTEN. You say you have not listened to any podcasts in the last month. What are the main reasons for this? Base: All that have not listened to a podcast in the last month; USA = 1248; Europe = 30234

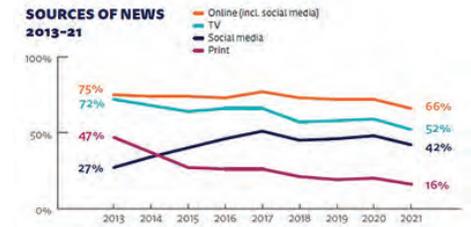
really important. In my previous column, I recommended that newsrooms use audio as a means to allow audiences to "peek behind the curtain." Discussions with journalists about "the story behind the story," or insights into a paper's editorial process, are seldom replicated in print.

As a result, this type of audio offers audiences something unique, and addresses a key barrier to consumption highlighted in the report. Distribution on desktop-friendly platforms - like YouTube, SoundCloud and others — and not just mobile-only apps, is another important consideration.

Implication: Many podcasts feel overlong and self-indulgent. Shorter, sharper, material may work better. At the same time, your audio can't just retread material found elsewhere, it needs to offer something different and fresh.

4. Podcasting can be a plank in your subscription strategies

One of the interesting things about this annual report is the ability to track trends



over time. Many of these are quite sobering. For example, traditional channels like TV and Print have endured precipitous falls in terms of their popularity as sources among those who also consume the news digitally. Since 2013, print's audience has dropped by nearly two-thirds, while TV is down by over a quarter. Alongside this, we have witnessed a small, yet steady, rise in the number of digital news consumers who are willing to pay for content.

These numbers are still quite small. Just over one in five (21%) of digital news consumers pay for online news, up from 9% in 2016. The average age of those with an on-going subscription is 50-55. Just under a quarter (23%) of subscribers pay for local titles. Because of this, the study notes, podcasts "are of particular interest to publishers because they attract younger and more affluent users that are highly sought by advertisers — and are potentially the next generation of subscribers."

Implication: Audio and podcasts can be both a gateway for building loyalty and gaining subscribers as well as a means to offer subscriber-only content, which may help with retention and demonstrating value.

5. There are local media content gaps audio could help fill

The report reminds us that audiences (even if they don't pay for it) do value local news.

Local information related to the pandemic, as well as weather, politics and crime news, were the most popular content categories in most markets. "Newspapers are also valued as a place for publishing formal announcements such as births and deaths," the authors remind us. "But for other topics," they observe, "alternative sources tend to be preferred."

In particular, information about shops and restaurants (49%), local services (47%), or things to do in the area (46%), tends to be sourced from social media and search; and there is a perception that these are better sources for these topics too.

Implication: Areas where local news outlets are seen as lagging behind other media could be a great space for audio content — especially if that also links back to your other material from on these subjects that audiences don't necessarily know about.

Damian Radcliffe is the Carolyn S. Chambers Professor in Journalism at the University of Oregon.

Value, importance of good news archives can't be overstated

NEIL MARA
Reynolds Journalism Institute
July 14, 2021

Editor's note: This article is the first of three excerpts of the RJI Fellowship research report: "News Archives: the untapped resource." Look for the forthcoming two excerpts in future editions of The Tennessee Press.

News archives are a resource not often discussed in newsrooms today. The once rich repositories of carefully preserved news and research data, tended by trained librarians and staff experts, are mostly gone now or hanging on by a thread, with notable exceptions at the largest media organizations.

'Most news archives and staff succumbed to financial pressures of recent decades...'

Once a point of pride in newsrooms across the country, most news archives and staff succumbed to financial pressures of recent decades as news organizations struggled to survive the shift to digital news channels that dissolved old business models. In their place we now see mostly

limited, inadequate substitutes:

- Impersonal, third-party syndication services housing automated and incomplete uploads of news story text, often with few if any visuals or presentation context, especially for digital.

- Little to no descriptive metadata, the once-critical details that trained librarians provided to distinguish feature stories from breaking news, profiles from Q&As, metadata that helped ensure journalists could find specific stories they needed from the past.

- Reproductions of older content on modern web CMS platforms, often missing key elements such as images, maps, graphics, links and metadata that don't match today's ever-shifting digital display preferences or didn't survive intervening tech transitions.

- CMS databases that often extend back only to the last system migration, with little metadata beyond a publishing date and an auto-generated ID number.

While these changes might have been difficult to avoid in the newsroom struggle to survive, the widespread cuts in news preservation efforts leave a widening gap in the capabilities of the news organizations to protect their content as

part of the public record, to provide adequate public access and to tap this content for critical context and background that reporters and readers need to cover and understand today's breaking news.

A lack of understanding of the unique value in vast stores of news content

It doesn't have to be this way. After talking with more than 50 different newsrooms in North America and Europe for this research, one of the key reasons I observed for the current state of affairs in news preservation is the lack of understanding of the unique value in vast stores of existing news content.

With experts largely gone, there's a growing gap in recognizing the genuine value of content stored deep in the bowels of a CMS, an archive system, or outsourced to a third-party syndication service. It doesn't matter whether the collection goes back two years, 10 years or 100 years. This is content that's already owned, already published, generated through an investment of time and money to create and send out into the world.

It's not just yesterday's news. It's the background needed for today's news. It can help news consumers across political and cultural divides who struggle with the uncertainty and conflict of 21st Century life, who seek context and meaning in the daily tidal wave of news that rushes past us 24 hours a day.

It can tell readers why a new Supreme Court decision happened, unearthing cases in the past that determine the precedents for today's decisions. It can inspire a community with the heroism and courage it took to tackle injustices that made life better for people today. Or it can help readers understand how an issue such as real estate redlining and discriminatory government policy lingers in so many of today's neighborhoods, decades after these policies were outlawed.

In short, news archives have tremendous potential value. At a time when newsrooms need all the benefits they can get in revenue, web traffic and reader engagement in a highly polarized society, this is one asset that has proven time and again to deliver for communities across the country. And it can help play a critical role in building or rebuilding a trust relationship

with the communities each newsroom covers.

Good preservation practices can benefit today's struggling newsrooms

This report contains the findings of a year-long research effort into the value of good preservation practices to the news publishing and broadcast industry, and the benefits this can provide to today's struggling newsrooms.

The research for this project involved conversations and communications with news reporters and editors, technology staff, managers and news library staff at dozens of news organizations in 2019 and 2020. Through these contacts I gathered examples of what newsrooms are doing now, what's working for them in putting their archives to use, why these are successful, what tools and technologies are involved, and what results and outcomes they have seen.

That's what you'll find in this report: excellent examples to replicate, plus information on how they work, and ideas on how you may be able to apply them in your newsroom.

USA Today Network newsrooms win national award

ADAM TAMBURIN
The Tennessean, Nashville
June 3, 2021

USA TODAY Network newsrooms across the South region won a prestigious journalism award June 3 honoring an ongoing project that explores the long shadow of racism in the American South.

"The Confederate Reckoning," a multimedia series powered by dozens of journalists working across five states, received the grand prize from the Robert F. Kennedy Book and Journalism Awards. The annual awards recognize outstanding domestic and international reporting on issues of human rights and social justice.

The project harnessed the reach of the USA TODAY Network South, which includes journalists working in Tennessee, Alabama, Mississippi, Louisiana and Arkansas. Together, they traced the complicated history of the Confederacy

from historic battlefields of the 1860s to contemporary classrooms and halls of government.

Starting in the summer of 2020, the network published more than 35 pieces of content tied to the project. More than 29 journalists — including teams at The Tennessean in Nashville, The Commercial Appeal in Memphis, The Knoxville News Sentinel, The Montgomery Advertiser in Alabama, the The Daily Advertiser in Louisiana and The Clarion Ledger in Mississippi — contributed.

Their work included frank assessments of Confederate monuments that became flashpoints in the national reckoning over racism. As statues toppled and tensions flared, the network wrote about the monuments' origins as emblems of white supremacist ideology at the height of the Jim Crow era.

Six stories focused inward, examining the network's painful history of propagating pro-Confed-

erate racism through local newspapers. Another wave of stories focused on education, and how schools teach — or don't teach — students about racism in the United States. The work paralleled a national movement to confront racism in all its forms.

"The Confederate Reckoning" began in the weeks after George Floyd died in Minneapolis, sparking a wave of rage and protests against systemic racism. The project illustrated the ways those forces have shaped the South for generations.

"Given the year that was 2020, and the extraordinary journalism that was produced across the country, what a profound honor it is to be recognized with this award, which recognizes reporting highlighting human rights, social justice and the power of individual action," said Michael A. Anastasi, editor of the USA TODAY Network South and vice president and editor of The Tennessean.

OBITUARIES



Richardson

Dennis Richardson, president of Magic Valley Publishing, died on July 26, 2021. He and his wife, Lisa, founded Magic Valley Publishing in 1986, three years after they purchased

the Carroll County News-Leader in Huntingdon. Mr. Richardson was a graduate of UT Martin in Communications. He was serving on the board of directors of the National Newspaper Association and on the TPA Foundation Board of Trustees. His obituary will appear in the next edition of The Tennessean.

NOTICE OF MEMBER MEETINGS

TPA Concurrent Board Meeting & Business Session Aug. 19

Thursday, August 19, via a Zoom video conference at 10:00 a.m. EDT/ 9:00 a.m. CDT. All member newspapers are invited to observe the Board meeting and to participate in the election of officers and directors.

Annual TPS Stockholders Meeting set August 19

The Tennessee Press Service will hold its annual stockholders meeting at 11:30 a.m. EDT/ 10:30 a.m. CDT on August 19 via Zoom. Stockholders will receive an update from TPS President Dave Gould and will elect two directors to serve three-year terms.

Please contact Robyn Gentile or Carol Daniels for the Zoom registration link via email to: rgentile@tnpress.com or cdaniels@tnpress.com.

Grow your coverage of agriculture with these helpful tips

Depending on where you live and work as a journalist, there are two basic levels of importance when it comes to coverage of the agriculture industry: “very important” or “extremely important.”

How and where food is grown or raised, how it is processed and transported, what it costs to buy and how the industry affects the economy and the environment are important to readers, advertisers, agricultural producers and policy-makers.

And yet, mostly due to cutbacks, agricultural coverage has been reduced or even eliminated by many traditional media outlets.

Specialty agricultural publications still do yeoman’s work in covering the industry, but their reach beyond the industry core is limited and the news is often presented from the perspective of an industry insider.

Every journalist has the opportunity, and some might say the imperative, to cover agriculture and the vast range of news topics associated with it. Here are some tips to start or expand your coverage of agriculture.

- Start small, then go in-depth. Take on a weather story or farmer



BETTER WRITING WITH BART

BART PFANKUCH

profile to break in, then go deeper as your skills and confidence build. Do not be intimidated; most farmers want to share stories about their lives and work.

- Read widely to get story ideas. This is true on all beats, but keeping your eyes and mind open to ideas is especially important about a complex industry such as agriculture. Subscribe or go online to scan specialty publications focused on agriculture, then go deeper into topics that might be old hat to industry reporters. Read national stories about the industry and localize them. Talk to government officials who oversee the industry and read reports they or industry groups produce about concerns or issues facing the industry. Visit websites of

industry or lobbying organizations.

- Sign up for online bulletins sent regularly by government regulators, industry groups, the National Weather Service, university extension offices or consumer groups. Then read the bulletins and mine for ideas.

- Drive around the countryside with the radio off. Look more closely at farms, ranches and the people who run them. What is new or unusual or special? Seek out industry trends, historical patterns or colorful feature stories worthy of reporting efforts.

- Consider how agriculture affects your own life. Wear your story-idea hat while grocery shopping, while visiting the farmers’ market or while considering the weather and its recent or long-range patterns.

- Once an idea emerges, interview government officials or industry groups for the big-picture outlook, and then ask for names and phone numbers of producers who might be willing to be interviewed by phone or in person. Be aware that some producers might be de facto industry spokespeople, so

try also to find local producers on your own. Scouring social media platforms or specialty publication websites can help you find fresh producers to interview.

- Take a two-pronged approach to reporting. First, speak to a variety of sources (especially front-line producers) on the phone. Then, set up a site visit or farm tour to meet producers where they work and live to create opportunities for a deeper understanding of issues, to get great photos, audio or video, and to create opportunities for colorful, detailed writing.

- Think deeply, ask many questions and never assume. Modern agriculture is complicated and high-tech. Be patient and diligent in trying to understand the terminology or concepts involved. Confirm your understanding of a topic with sources so you can present information or processes clearly and accurately to readers.

- Ask tough questions, play devil’s advocate at times and get the other side. Not every agricultural story needs a quote from PETA, but it is important to seek out reasonable sources who question agricultural

procedures or ecological impacts. Often, those sources are not anti-agriculture, but mostly want the industry to operate more efficiently and in concert with the earth.

- Prepare well for farm visits. Get clear directions, map your route and show up on time; do not arrive in your Sunday best; be ready for sun, rain or snow; have water or soda; bring a rag or napkins for messes; take written notes while also tape-recording interviews; ask permission before getting close to crops, equipment or livestock; be wary and respectful of animals; take candid photos of farmers in action but get a staged portrait just in case; never be in a hurry.

- Enjoy the writing process. As an agricultural reporter, you have the rare opportunity to bring readers into a world they might never see. Embrace that gift by writing clearly and accurately but with authority, flair and color.

Bart Pfankuch is the content director for South Dakota News Watch, online at SDNewsWatch.org. Contact him at bart.pfankuch@sdnewswatch.org.

Judge to consider if ban on livestreaming county commission meetings violates First Amendment

DEBORAH FISHER
TN Coalition for Open Government
January 3, 2021

A federal district judge was scheduled to hold a bench trial in Nashville late this summer to determine whether a ban on livestreaming meetings of the Montgomery County Commission violates the First Amendment.

His decision could turn on whether the ban is narrowly tailored enough to address the government’s interest in security of commission chambers without burdening the speech rights of those livestreaming and commenting on the livestream.

A year ago, U.S. District Judge Eli Richardson found it plausible that livestreaming the county commission meeting on a Facebook page, with its attendant interactive commenting features that engaged others in conversation, was expressive conduct.

The case began in 2019 after

the county commission passed a resolution barring any “live broadcast from within the Commission Chambers of its proceedings.”

County commissioner livestreamed committee meetings on Facebook

One of the county commissioners, Jason Knight, had livestreamed the commission meetings on his Facebook page where he actively participates, comments, and engages with the audience of his streams.

After the commission adopted the ban, Knight filed a federal lawsuit on Aug. 15, 2019, along with Joshua Wikholm, who Knight employed to stream the meetings, and David Webb, a citizen who frequently views and comments on livestreamed government events.

They allege in court filings that the ban on livestreaming not only prevents them from streaming the meeting to their social networks, but also prevents them from

engaging in “political commentary with their own social networks about the contents of those meetings in real time, using the unique communicative features and tools available on platforms including Facebook and YouTube.”

The U.S. Supreme Court “has stressed the importance of social media as the modern public square,” they say in the court filings. And they argue that livestreaming is distinct from simply video recording because of its “communicative nature on social media.”

Sheriff concerned that livestream of meeting could provide real-time info to would-be attackers

Montgomery County Sheriff John Fuson says that livestreaming a county commission meeting transmits real-time information to

See **LIVESTREAM** Page 10

FISHER from Page 5

Merriam-Webster (‘showing dislike or opposition’). And abusive prohibits ‘insulting’ language, see Abusive, Merriam-Webster (‘harsh and insulting’), with “personally directed,” meaning simply abusive speech directed at one person, per the Board’s interpretation. These terms plainly fit in the “broad” scope of impermissible viewpoint discrimination because, like in *Matal*, *Iancu*, and *American Freedom Defense Initiatives*, they prohibit speech purely because it disparages or offends.”

The school district had also argued that Ison’s speech was “personally directed” and “abusive” in violation of the policy. But the court said video of the testimony shows differently — that Ison “spoke calmly, used measured tones, and refrained from personal attacks or vitriol, focusing instead on his stringent opposition to the Board’s policy and his belief that the Board was not being honest about its motives.”

The court said that its ruling should not be interpreted to say

that regulations guarding against ad hominem attacks (directed against a person rather than the position they are maintaining), even verbal, would be unconstitutional. “Suffice it to say that speaking out in opposition to an idea may be offensive but is easily distinguished from a personal attack.”

The citizens also had challenged as unconstitutional under the First Amendment’s free speech protections a requirement that someone register in person for a public comment period at least two days before a meeting. The court acknowledged that such a policy could “curtail a working person from easily registering” because the person would have to take time off work to go to the board of education office in person. But, the court said, “that hurdle falls short of rendering the requirement substantially more burdensome than necessary” and cannot be argued to be a “wholesale ban” of speech.

Deborah Fisher is executive director of the Tennessee Coalition for Open Government (TCOG).

In our race to 'normal,' let's not forget pandemic's exposure of deep inequality

Every year since I became a journalism professor, I'm asked to do this strange academic ritual called an "annual report." In that report, I'm required to document every course I teach, every article I've written, every meeting of substance, every project. It's a basic accounting of my time that the college can then use to tell me if I'm pulling my weight.

Of course it's more complicated than that, but the process of accounting for everything I've done professionally always sneaks up on me, and a few days before it's due, I'm usually scrambling to look at Facebook posts and calendar items to remember just what I've been up to.

Perhaps it's the journalist in me, but when my college offered to let us write a "pandemic impact statement" as part of the annual report this year, I initially decided against it. Of course this was an extraordinary year, and of course it was hard, but I come from a news culture. When it breaks, you drop everything to cover it. Long days turn into long weeks, and you go with it. Also, as a war



LOCAL MATTERS

JACKIE SPINNER

reporter, I don't find anything special about an account of having made it.

But the more I reflected on the past year, the more I realized how tired — and even angry, I was. So I wrote a lead to my pandemic impact statement and said just that. "I am tired, and I'm angry."

I realized that after more than a year living in a pandemic, trying to teach journalism and do journalism and be a parent, all in the same place, I'm really fatigued. What tires me the most is the expectation that we are returning to some kind of pre-pandemic normal. It also makes me angry.

I have spent the past 14 months trying to keep three little people safe and alive, one of whom joined our family in the fall after four difficult months adopting him from

Morocco. I'm tired because I'm raising three young Black boys in America. I'm tired because I've been unable to separate my home life with my work life as easily as I once did or felt required to do. For a year, they've shared the exact same place.

I'm angry because the pandemic has exposed inequities and privilege in education, in health care, in the workplace, in caregiving roles. We are failing to address so many of these inequities as we move back to whatever "normal" is supposed to be.

I don't want to see us move back. I don't think back was better, at a college or in a newsroom. Back denies people with disabilities the accommodations they've long sought. Back denies people different ways to access the workplace and to engage with each other. At a college in particular, but across journalism platforms as well, back denies neurodiverse people the multi-modalities that they need to process information.

Rather, I want to see us move forward with all of the insights and lessons we've learned over the past year about how we deliver content,

in the classroom or on a news platform, about social and racial and class inequality, about the accessibility and accommodations that truly enable all of us to participate.

The pandemic has been devastating to many, and the most at risk are early career women and individuals from underrepresented minorities, particularly those with caregiving responsibilities. Gender inequality and intersectionality have created huge barriers for women of color.

While I appreciate the need to strike a positive tone as we head into the fall, we are not confronting the trauma of the past 14 months and its impact on the most vulnerable members of our communities. I see us rushing back to normalcy — and I clearly understand the financial need for academic institutions, including my own, to do that. The financial pressure is similar for small news business owners. But we are doing so without recognizing the difficulties that exist and will persist in the coming months for many of us.

The challenge for all of us, in a college classroom or in a news-

room, is to figure out how we continue to dismantle the systemic racism and bias embedded in our culture and policies. They are there and to suggest otherwise gaslights the experiences of our colleagues of color or working parents, particularly mothers.

We also need to stop demanding that our employees separate their work lives from their home lives.

I, for one, am no longer willing to create several versions of myself who co-exist in order to be the mother of an autistic child, the mother of Black boys, the single parent, the journalist, the recovering war correspondent, the journal editor, the professor, the colleague. These parts of me exist together or we don't exist.

This story first appeared in Publisher's Auxiliary. It is republished here with the permission of its author, Jackie Spinner. A former staff writer for The Washington Post, Spinner is the editor of Gateway Journalism Review and an associate professor at Columbia College Chicago. Follow her on Twitter @jackiespinner.

Once more for emphasis: Keep public notices in newspapers

SUBMITTED
The Daily Times, Maryville
June 26, 2021

Under the auspices of saving taxpayer dollars, many local governments — and even the entire state of Florida — are moving toward removing public notices from general-circulation newspapers and placing them in obscure publications or the internet only.

It's a terrible idea whose real motivation is to harm community newspapers financially in an effort to muzzle them and limit their ability to report the news, promote transparency and hold government officials accountable.

Our neighbors at the Knox County Commission are close to moving public notices from the Knoxville News Sentinel to only a free weekly owned by a long-time Republican supporter and mouthpiece.

The Florida legislature recently passed the most significant public notice law in modern history, according to the nonprofit Public

Notice Resource Center.

The Carson City, Nevada-based center also reports that Pennsylvania lawmakers are debating a "devastating" public notice bill. House Bill 955 would allow local governments in Pennsylvania to move their notices from paid-circulation newspapers to government websites or government-printed publications, newspaper websites, free-circulation newspapers, legal newspapers or shoppers.

"Taking public notices out of newspapers would be devastating to my (newspapers') business and those across the state," said Robert Rolley, publisher of The Williamsport Sun-Gazette and The (Lock Haven) Express, the center reported.

The Knox County Commission, which claims it will save \$25,000 a year, is close to moving its notices to only the Knoxville Focus, a free weekly published by GOP operative Steve Hunley. The Knoxville News Sentinel said Knox County has paid it about \$225,000 for notices since March 2018.

COMMENTARY

These moves are not just troubling to newspapers; they make no sense for taxpayers. Tennessee newspapers are required to publish public notices on their websites at no charge. No organization has the reach of a newspaper and its website. The Tennessee Press Association says most adults read their local newspaper and also the classifieds ads, where local governments currently are required to place meeting notices, zoning plans, election information, etc.

The Daily Times' website alone has exceeded 1 million page views in several recent months.

The Tennessee Public Notice Law, enacted April 1, 2014, also requires the state's newspapers to publish public notices on a statewide website. At no taxpayer expense, Tennessee's newspapers maintain tnpublishnotice.com as a central repository for every public notice in the state. That means droves of public notices from thousands of Tennessee counties and

municipalities are all stored free on the same website.

Free-circulation newspapers and little-known websites have little reach compared to hometown newspapers. Publishing is an expensive endeavor. It's no secret that newspapers are hurting and that we as an industry did a poor job of responding to the internet, where conglomerates like Facebook and Google now siphon off our locally produced content without paying us a dime.

Since 2004, about 1,800 newspapers have shut down across the United States, turning communities not unlike ours into news deserts, where local officials can operate with impunity and without oversight from the Fourth Estate, the Poynter Institute says.

For the sake of accountability and transparency, Knox County and any other local governments should abandon the idea of moving public notices from newspa-

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Tennessee Press Service Advertising Placement Snapshot

	ROP:	Networks:
June 2021	\$117,668	\$15,384
Year* as of June 30	\$594,978	\$128,087

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

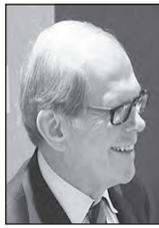
Protecting the Right to Organize (PRO) Act stalled in Senate

In a previous column, I provided in great detail the Protecting the Right to Organize Act (PRO Act). As of Mid-July, the PRO Act remained stalled in the Senate. Advocates on both sides continue to lobby for their respective positions. A recent survey reported the following:

- 70% of voters are concerned about the PRO Act abolishing the state right-to-work protections:
- 70% of voters are concerned that the PRO Act limits the abilities of individuals to work as independent contractors:
- 60% of voters are concerned with the PRO Act interfering with small business's access to legal advice.

Biden announces new nominee to NLRB

Current NLRB Member William Emanuel's (a Trump appointee with a management background) term expires on August 27, 2021. In anticipation of the upcoming vacancy, President Biden has nominated union lawyer David Prouty to fill this not yet empty seat on the Board. As reported in a previous column, President Biden has already nominated another



LEGAL UPDATE

L. MICHAEL ZINSER

union attorney, Gwynne Wilcox, to fill the current vacancy on the Board. With these two (2) nominations, if confirmed, Democrats will achieve a majority in the five (5) Member NLRB as early as September 2021. The U.S. Senate Committee on Health, Education, Labor and Pensions has scheduled a hearing on their nominations on July 15, 2021.

NLRB finds solicitation of mail-ballots is objectionable conduct

NLRB elections have been conducted by mail-ballot in most instances since the onset of the coronavirus pandemic. In a recent case, Professional Transportation, Inc., the NLRB ruled that solicitation of mail-ballots does constitute objectionable conduct and may warrant setting aside an election in certain circumstances. Solicitation usually occurs when the union or Employer offers to collect a mail-ballot and mails it to the NLRB's Regional Office.

Previously, NLRB precedent held that it is objectionable conduct for a party to handle employees' mail-ballots. In the new case, the Board recognized that mail-ballot elections may be "more vulnerable to the destruction of laboratory conditions than our manual elections." A new decision made the following points:

- A party's offering to collect ballots contradicts voting instructions stating that parties other than the voter may not handle or collect ballots.
 - Ballot solicitation signals to employees that a party other than the Board is involved in running the election, which is incompatible with the Board's responsibility in controlling the election process.
 - Even where ballot solicitation does not result in actual ballot tampering or loss of ballot secrecy, it nevertheless undermines the integrity of elections and constitutes objectionable conduct.
- The NLRB's decision finds that ballot solicitation does not necessarily require that an election be set aside. Rather, an election

must be set aside only where the evidence shows that the ballot solicitation affected a determinative number of voters. The NLRB will consider evidence of:

- The number of unit employees whose ballots were solicited.
- The number of unit employees who were aware of ballot solicitation.
- Whether a party engaged in a pattern or practice of solicitation.

The new test is an objective test. The question is whether a party's conduct could reasonably be interpreted as ballot solicitation. Merely asking an employee if they received a ballot or offering an employee assistance with understanding the election process is not ballot solicitation.

In the case being considered, the election was not set aside because only two (2) voters were solicited, and they would not have determined the outcome of the election, which the union won by ten (10) votes.

Currently, three (3) members of the Board are Trump-appointed Republicans. Chairman McFerran is the lone Democrat. It is instructive to read what McFerran says. Chairman McFerran declined to endorse the view that mail-ballot

elections are inherently more vulnerable than manual ballot elections. She further opined that, "It is time for the Board to reevaluate its historic preference for manual ballots and to consider expanding and normalize the other ways to conduct elections on a permanent basis." Once President Biden achieves a Democrat majority on the Board, unions will press for mail, telephone, and even electronic voting. This will pave the way to voter fraud.

NLRB orders hearing over employer challenge to signature on mail-ballot

On June 25, 2021, the NLRB ruled that an Employer's challenge to a ballot signature raised substantial and material issues to whether the ballot was cast by an eligible employee.

During the Coronavirus Pandemic, the NLRB conducted elections using mail-in ballots. In this case, the election was held on August 24, 2020. In the election, six (6) voted for the union, six (6) voted against the union, and seven (7) ballots were challenged. How-

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potential attackers.

The county argues that livestreaming a county commission meeting poses a security threat because it transmits "real-time" information that someone could use for an attack during the meeting. And while no specifics were given, they pointed to the Jan. 6, 2021, storming of the U.S. Capitol as an example of an attack on a legislative body.

"A live broadcast allows someone to show, in real time, the positioning of all officers, when and where their attention may be drawn away from one particular general security observation point to another based upon circumstances or a diversion, and can likewise transmit the presence of persons entering or exiting the Chamber during the meeting," the county said in a court brief.

"... Anyone who wished to commit any sort of assault on the dignity of the meeting, the partici-

pants, or the general public would be aided by a live broadcast from the meeting..."

The county also quoted Montgomery County Sheriff John Fuson from his deposition, saying that "... Sheriff Fuson acknowledged, 'anytime someone has a way to communicate information to folks outside of that inner circle [those inside the chamber] . . . that could give them an opportunity to . . . study . . . the movements of folks inside the building, could tell you who's inside the building, where exactly they're at in proximity to doors or windows or things like that that, you know, could cause folks to form some type of attack.'"

According to Fuson's deposition, the public is only allowed in the building through the main entrance on the first floor where they have to go through a security checkpoint and be scanned for items such as knives or firearms. Other doors are locked, and a person going to a commis-

sion meeting on the third floor would also pass by other sheriff's deputies, including at least two stationed inside the commission chambers.

Fuson acknowledged that the county does not ban people from sending photos or texts from inside commission chambers to someone on the outside, but said that livestreaming — giving real-time video information — was his bigger security concern.

County offers 'simultaneous broadcast' on YouTube channel, but controls comments

The county in its defense said that the public who is not physically at the meeting can still follow along because it makes available on YouTube a "simultaneous broadcast" of the county commission meeting which it says is on a slight time-delay.

But the plaintiffs don't buy that prohibiting livestreaming

is the best security measure and argue it doesn't "meaningfully improve" security. "Montgomery County could not identify a specific, articulable security threat posed by non-government livestreaming that did not depend on another, far more significant variable such as an unlocked or unattended door," they countered in their brief.

Knight's Facebook livestream seen by up to 5,000 participants

And while the county's YouTube channel also allows commenting, the county can block users and limit which public comments appear — features that the plaintiffs say discourage anyone from commenting. They said the county's YouTube channel gets only a fraction of the number of participants that Knight gets on his Facebook livestream — 300 to 500 compared with 2,000 to 5,000.

For its part, Montgomery

County officials have said that their approach doesn't overly limit members of the public or journalists because it still allows them to use "audio and video recording devices" from a designated area in the commission chambers and share those recordings later on their social networks. They say the designated area is selected to limit video recording of certain aspects of the room that the sheriff thinks would harm security interests if shown.

However, even then, some confusion arose about taking photographs from a place in the commission chambers if not in the designated area. Fuson admitted the rule only restricts to the designated area people who are video recording, but said "[w]e have been sending folks to that corner to take photographs."

The bench trial is set for Sept. 7.

Deborah Fisher is executive director of Tennessee Coalition for Open Government.

Post's Bryan among those inducted into TSWA Hall of Fame

IVAN ARONIN
The Wilson Post
July 9, 2021

Wilson Post Sports Editor Tommy Bryan has filled hundreds of notebooks, scrapbooks, computer screens and Smartphones by writing about the accomplishments of Wilson County athletes for nearly 44 years.

In early July, the Tennessee Sports Writers Association (TSWA) put an emphatic mark of approval on Bryan's career by inducting him into the organization's Hall of Fame.

Bryan, who helped to create the TSWA, was one of three members of the Class of 2020 inducted during a ceremony at Cumberland University's Alumni Hall. The 2020 ceremony was postponed by COVID-19 guidelines. There were also three members of the 2021 class inducted.

Bryan is a 1975 graduate of Lebanon High School. He graduated from Cumberland Junior College (now university) in 1977 and started working at the Lebanon Democrat. He was owner and publisher of The Wilson World newspaper for 22 years (1981-2003).

"To the coaches who have let me inside of their world with the wins and losses, I thank you for trusting me," Bryan said in his induction speech to a crowd of more than 100 attendees that included Dave and Ellen Gould (Bryan's current bosses as the co-owners of Main Street Media).

"My first real break came covering Mt. Juliet girls basketball and their run to the 1977 state championship," Bryan said in 2019. "After that I was hooked on local sports. Since then, I've covered the children and now grandchildren of people I played football and went to school with."

Bryan, also a founding member of the Lebanon-Wilson County Sports Council, has handled the play-by-play calls for Cumberland football for 10 years and Lebanon High School football for more than 30 years. He has hosted numerous sports talk shows on WANT-FM, and is planning for his third year of the "Coaches Night Out" weekly Facebook Live event with Wilson County football coaches talking about their teams and upcoming games.



Bryan



Patton



Taft



Walker

Three of the other inductees – Maurice Patton, Larry Taft and Teresa Walker – have strong sports writing ties to Middle Tennessee.

Patton joined The Tennessean in 1990 and covered high school sports, the Nashville Sounds, the University of Tennessee, MTSU, Tennessee State and Vanderbilt. He was an Associated Press Top 25 poll voter for football and women's

basketball.

Patton was named sports editor at the Columbia Daily Herald in 2016. He is currently the editor for Southern Middle Tennessee Sports, a digital platform focused on coverage of local high school athletics, and co-host of the sports talk radio show "Southern Middle Tennessee Sports Today".

"Nobody gets into this (sports writing) expecting this," Patton said in his induction speech. "It proves that good work is good work regardless of where you do it or who you do it for."

Taft wrote about high school sports for nearly 40 years, primarily with The Tennessean. He also covered the Nashville Sounds for many years.

Taft was sports editor of The Tennessean for five years. He is a 2011 inductee into the TSSAA Hall of Fame as a contributor.

"I just had a passion for sports growing up," Taft said in his induction speech. "If it is important, then cover it thoroughly and cover it well," he said to repeat the advice given to him by former Tennessean sports editor John Bibb, also a

TSWA Hall of Fame member.

Walker has been the Tennessee Sports Editor for the Associated Press since 1992 and is a two-time Tennessee Sportswriter of the Year. The graduate of the University of Tennessee at Knoxville was hired by the Associated Press in Nashville in December 1989. She has covered five Olympics, three Super Bowls, several NCAA Tournaments and the 2014 Women's Final Four in Nashville.

Walker is the first president of the Pro Football Writers Association's Nashville chapter. She is the first female sports writer selected for the TSWA Hall of Fame and only the third female elected by the association. The other two -- June Stewart and Debby Jennings -- are both from the sports information field.

In her induction speech, Walker thanked her mother for having them both watch NFL games on TV when she was growing up "because there just wasn't much to do for girls in East Tennessee in the winter."

"I just want to thank you for treating me just like one of the guys," Walker said.

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ever, the Regional Director sustained the challenge to six (6) of the ballots. The remaining ballot was challenged by the Employer on the grounds that the signature on the ballot was illegible and did not match examples of the employee's signature submitted by the Employer. The Employer submitted the following evidence:

- Employee's signed W-4 Form
- Direct deposit authorization form
- I-9 Employment eligibility verification
- Criminal background check authorization form

The NLRB found it significant that the signatures across the

above list of documents were very similar to each other suggesting a high degree of consistency in the way the employee normally signed his name. The signature on the ballot envelope was illegible and did not match examples of the employee's signature submitted by the Employer. The NLRB noted that the requirement of having employees sign the outer envelope of the mail-ballot acts as a safeguard to the integrity of mail-ballot elections and permits the ballot to be identified as cast by an eligible employee. The NLRB held that if the signature on a mail-ballot envelope varies significantly from known examples of the employee's signature, that may raise substantial and material issues regarding

identity of the person who marked the ballot.

Author's note: Employers should not hesitate to ask to view a questionable envelope for additional time in order to make a challenge decision. The election in this case came down to one (1) vote. Thus, the challenge process is critical.

A victory for employer property rights

On June 23, 2021, the U.S. Supreme Court issued a ruling that a California regulation constituted a per se physical taking of Employer property without providing the owner just compensation in violation of the 14th Amendment of the Constitution of the United

States of America. The California regulation at issue granted non-employee union organizers the right to physically enter and occupy the Employer's agricultural land for three (3) hours a day, 120 days per year. The California regulation was enacted in response to concerns that "alternative channels of effective communication, which have been found adequate in industrial settings, do not exist or are insufficient in the context of agricultural labor."

The Takings Clause prohibits the government from taking private property without providing the owner just compensation. The U.S. Supreme Court found that the regulation at issue appropriates for the enjoyment of third par-

ties the owner's right to exclude others from the property. Government-mandated access to private property can be physical takings requiring just compensation. The Court held the access regulation constituted a per se taking, a violation of the 5th and 14th Amendments for which a valid claim for relief may be stated.

The new case, Cedar Point Nursey v. Hassid, is a significant victory for the private property rights of Employers.

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NOTICES from Page 9

pers. Take the lead, for example, of grocery chains. They put sales ads on their corporate websites but still often stuff the Wednesday newspaper with inserts.

We agree with Knoxville News Sentinel and Knoxville News editor

Joel Christopher that moving public notices to an obscure publication is "anti-capitalist and damaging to transparency."

Christopher told his own outlets that "Under this proposal, county leaders would be opening themselves up to paying rates dictated by a single publisher and drastical-

ly limiting their ability to inform the taxpayers they represent."

We also agree with Deborah Fisher, executive director of the Tennessee Coalition for Open Government. She thinks that to reach the most taxpayers, local governments should create online portals for public notices AND

publish them in general-circulation newspapers.

"To notify the public, you have to do outreach," Fisher told us in a telephone interview recently.

The Public Notice Resource Center currently is tracking 60 different public notice bills already introduced in 22 states. Legislators

in 10 of those states would move all or most public notices from newspapers to obscure government websites. Local and state governments should stop wasting time and tax dollars on these bills and tend to far more important business, such as fueling post-pandemic economies.

Wilhoite, former Daily Herald sports editor, inducted into TSSAA Hall of Fame

JAY POWELL
The Daily Herald, Columbia
July 18, 2021

During his lifetime, former Daily Herald Sports Editor Marion Wilhoite carried many titles to his name, most notably an “icon” and “pillar” of Maury County sports.

Wilhoite’s legacy, spanning 54 years serving the Columbia newspaper, was honored over the weekend as part of the Tennessee Secondary School Athletic Association’s (TSSAA) Hall of Fame Class of 2020.

Wilhoite, who passed away Nov. 15, 2017, was one of nine inductees honored during the ceremony Saturday, July 17, at the Embassy Suites Hotel and Conference Center in Murfreesboro. Others included administrators Barbara Daush of Memphis, Turner Jackson of Cleveland and Clint Parnell of Nashville, coaches Bobby Alston of Memphis, Buck Coatney of Knoxville, Carolyn Jackson of Chattanooga and Jeff Morris of Milan, as well as official Shelby Miller of Elizabethtown.

The event was originally scheduled to take place in April of last year, but was postponed multiple times due to the COVID-19 outbreak.

TSSAA Executive Director Bernard Childress remarked on Wilhoite’s career in Columbia, which began in his early teens, where he kept statistics and filed stories for his predecessors, Doug Underwood and Ralph Dawson. He was later hired full-time as The Daily Herald’s sports editor in 1962.

Childress also read comments from 2011 Hall of Fame inductee Ronnie Carter, who presented Wilhoite’s long-devoted wife, Dorothy Wilhoite, with the honorary Hall of Fame medal and plaque.

“Ronnie had the great privilege of working with Marion for over 30 years, and comments that ‘the schools, coaches and student athletes of Maury County were so very fortunate to have him working with them and writing for them for so many years,’” Childress said.

“He never had a negative thing to say . . .”

“Being born and raised in Maury County as a student-athlete, coach and administrator, I

can personally tell each and every one of you, and attest to the fact that Marion Wilhoite was one of the best sports writers and editors high school sports has ever known. He never had a negative thing to say about any administrator, coach or student athlete.”

Wilhoite’s induction into the TSSAA Hall of Fame is the latest in several accolades the former sports editor received throughout his career.

In 2012, Wilhoite was inducted into the Tennessee Sports Writers Association’s Hall of Fame. Following his death in 2017, he was posthumously inducted into the Columbia Central Athletic Hall of Fame as part of its charter class in 2018. Prior to his retirement from The Daily Herald in 2016, he was also recognized by the Tennessee Press Association for a career spanning more than 50 years.

The City of Columbia also recognized Wilhoite’s career with a proclamation in 2016, following his retirement. In 2018, the city dedicated a stretch of South Main Street in front of The Daily Herald’s former office in his honor by renaming it Marion Wilhoite Way.

Wilhoite was also a charter member of the Columbia Parks and Recreation Hall of Fame, was named Tennessee Prep Writer of the Year by the Lawrenceburg Quarterback Club in 1984, as well as earned a previous TSSAA Distinguished Service Award. The press box at Central High School’s Lindsey Nelson Stadium was also named in his honor in September of 1995.



Photo submitted

Longtime Daily Herald sports editor, Marion Wilhoite, who passed away in 2017, is pictured here standing in front of the press box at Lindsey Nelson Stadium, which bears his name.

A “unique brand of sports coverage.”

His writing was once featured in a column for Sports Illustrated in 1989 for “his unique brand of sports coverage.”

He also had the opportunities to cover some of the nation’s big games, including the Super Bowl and the World Series, but it was always local high school and youth sports he cherished the most.

“My two favorite events were the 2010 state championship football game, won by Columbia Central, and the 2007 American Legion baseball national championship, won by the Columbia Post 19 team,” Wilhoite told the Daily Herald in 2015.

Several of Marion’s family members were also in attendance during

the event, including his brother and former Maury County Commissioner Andy Wilhoite and wife Debbie, his son Glenn Wilhoite and granddaughter Brandy James.

Encouraged student-athletes to pursue lifelong careers

Andy Wilhoite remarked on his brother’s passion for community sports, that he wasn’t only writing about the local games, but encouraged student-athletes in creating lifelong careers for themselves. And above all, he was always fair, honest and never took a negative approach to his reporting.

“Marion was a career builder, whether it be the players or the coaches,” he said. “There might have been times when he was

pushed politically to say something negative, but he wouldn’t. This was because he knew this may not be their first stop, and he didn’t want to be the one to bring them down. He never bowed down.”

Andy added that Wilhoite would have felt “right at home” at Saturday’s ceremony, partly because so many people knew him, his career and highly-respected his work.

“It’s an honor, and Marion would fit right in the middle of all this, because it’s all about sports, referees, umpires, coaches and stuff,” he said. “People have been coming up to me telling me how much they appreciated all the articles he had written about them over the years.”

Wilhoite’s son Glenn remembers his father as a constant workhorse, who never seemed to stop. At one point, The Daily Herald even had a cot set up for him upstairs in the former South Main Street office for those late nights so he could work, sleep a few hours, get up and get back to it early the next morning.

“It was my dad’s thing, and it seemed like he was always at the Herald. He was always at two places, either the ball field or The Herald,” Glenn said.

At the event’s conclusion, Wilhoite’s wife Dorothy commented that her late husband would have “very much appreciated the honor of being inducted.”

“I know that Marion would have appreciated this, and I know that he did a lot of things for sports,” she said. “It’s good to be here, and I know Marion would have enjoyed it.”



LOCAL FEATURES (left)—Winners seated are, from left, Mrs. Raymond Hamilton, Millington Star; Vincent Bagwell, Robertson County Times, Springfield; and Carl A. Jones, Johnson City Press Chronicle. Standing, from left, are Mrs. Vernon McKinney, Upper Cumberland Times, Jamestown; James E. Charlet, Stewart-Houston Times, Dover, and Clarksville Leaf-Chronicle; Leonard Gregory, Macon County Times, Lafayette; Horace V. Wells, Clinton Courier-News; and Dick Smyser, Oak Ridger. **BEST SINGLE EDITORIAL** (center)—Winner seated is James Baxley, Bristol Herald Courier. Standing are Bill Anderson, Springfield Herald; John Finney, The Daily Herald, Columbia; Dr. A. D. Holt, U-T president; and Ellis Binkley, Kingsport Times-News. **LOCAL PICTURES** (right)—Winners seated are Tom Anderson, Collierville Herald; James W. R. White, Southern Standard, McMinnville; and John Finney, The Daily Herald, Columbia. Standing are Raymond Hamilton, Millington Star; Don Brookhart, Crossville Chronicle; William Simonton, Covington Leader; Vincent Bagwell, Robertson County Times; Carl A. Jones, Johnson City Press-Chronicle; and James E. Charlet, News-Democrat, Waverly.

Some of the 1960 University of Tennessee—Tennessee Press Association State Press Contests winners.

The contests were created as a joint project of UT and TPA in 1940.

On August 27, 2021, TPA and UT will present the 81st annual State Press Contests Awards in Franklin.