

# The Tennessee Press

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## Lee signs 3 open-government bills

**DEBORAH FISHER**  
TN Coalition for Open Government  
April 7, 2022

Three bills that improve open government cleared both the House and Senate, and have now been signed into law by Gov. Bill Lee.

One will improve the transparency of public meetings of hundreds of state boards and commissions. Another brings more transparency to deaths that occur in local jails and state prisons. And the third clarifies language in the public records law that sometimes causes confusion over ID requirements and the responsibility of the government to search for records.



Gardenhire



Rudd

Tennessee Coalition for Open Government worked with the sponsors and other advocates on these bills.

SB 2889 / HB 2864, sponsored by Sen. Todd Gardenhire, R-Chattanooga, and Rep. Tim Rudd, R-Murfreesboro, marks a turning point in state board meetings that are held

using electronic means.

The Open Meetings Act already authorized such boards to allow their individual members to participate in meetings electronically and the entire board to meet electronically under certain circumstances, such as by video conference.

The bill updates the law to require that the governing bodies record all meetings that are held with electronic participation. The recording or a link to the recording must be posted on the website that contains information about the governing body's meetings within three business days and maintained for three years.

See **BILLS** Page 4

## REMINDER:

### 2022 Tri-State Press Convention

The 2022 Tri-State Press Convention will offer educational and social opportunities, including golf and a trade show. Save the dates: June 23-25, and plan to join the members of TPA, Arkansas Press and Mississippi Press in Memphis. See Page 7 for more details on the convention and how to register.

## Real meaning, import of First Amendment freedoms at work, thanks to Vladimir Putin

There is no better current example of what the First Amendment really means – and how it works – than the real-time proof provided by Russian President Vladimir Putin's invasion of Ukraine.

In the United States, we see independent reporting on the invasion from liberal and conservative news outlets, buttressed by uncensored video and unfettered, penetrating personal accounts from the battlefield. Already four journalists have been killed and others injured trying to bring the truth of war back to free people.

We heard from Ukrainian President Volodymyr Zelensky in a speech to Congress and saw a video he shared documenting the horror inflicted on that nation by Russian armed forces.

In our country, pundits of varying political stripes across a range of media offer views for and against Western sanctions on Russia. They rate and debate President Joe Biden and Congress' handling



### PERSPECTIVE: FREEDOM FORUM

GENE POLICINSKI

of the crisis.

However, in Russia, more than 10,000 anti-war demonstrators have been arrested thus far (as of mid-April) following protests in more than 69 cities, threatened with long prison terms just for speaking out.

For Russian citizens, there is just one state media account of Putin's "special military operation" reporting nothing but positive "news." No alternative voices, no critics are legally permitted to speak over the air or online, where many sites are being blocked.

When a Moscow Channel One staffer interrupted a broadcast of the top-rated Russian program

"Vremya" by holding up a sign saying, "They are lying to you here," she was arrested, hauled into court after 14 hours of interrogation and fined – with more serious criminal charges still looming.

In the U.S., we have the chance to make up our own minds about the conduct of our leaders and the path they've chosen in punishing Russia. But in Russia, the government allows only one view and one approved voice. Just using the words "war," "attack" or "invasion" – or even, in some cases, implying them – is enough to get you thrown in prison. Really.

Some do want to shut down a few voices in the U.S. Some critics of Fox News, Tucker Carlson and former President Donald Trump are shouting "treason" over comments seen as favorable to Putin, or as advancing Russian propaganda and misinformation. There are even calls for the Federal Communications Commission to censor Carlson and others on TV.

Many of today's calls for censorship focus on online comments and personalities. But those platforms, users and personalities are protected from government action by both their individual First Amendment rights and by those same rights enjoyed by private social media platforms.

By law, some exceedingly narrowly defined speech in wartime does fall outside the protection of the First Amendment. Two examples are providing details in advance of troop movements or ship sailings and disclosing military technology secrets.

This isn't the first time that people have sought to limit speech further.

In 1798 – just seven years after the Bill of Rights was adopted – the potential for war with France led to the Sedition Act, which made it a crime to criticize Congress or the president. About two dozen

See **POLICINSKI** Page 2

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## CONTACT THE MANAGING EDITOR

TPAers with suggestions, questions or comments about items in The Tennessee Press are welcome to contact the managing editor. Call Mike Towle, (615) 293-5771; or email editor@tnpress.com. The deadline for the July 2022 issue is June 7, 2022.

# A different way of defining diversity

How diverse is your newspaper? This isn't about the makeup of your newsroom or your overall staff. Those are questions easily identified and answered.

Instead, this discussion is about your news product. How diverse is it? Does your product reflect the myriad facets of your community?

You probably believe it does. I would challenge you to challenge your own thinking with a thorough diversity audit.

What is a diversity audit? It is a deep dive into your content within a defined period (one week, for example) to see less *what* your content team is covering – though that, of course, is important -- and more *how* they are covering the news. Who are they covering? What voices, segments and demographics does your finished product reflect?

The Kingsport Times News recently conducted one such audit. A newsroom team took one week of newspapers and looked at area demographics, story subjects by race/gender/age, content types, number/type of sources, datelines and more. Take all those audit areas – and consider all the overlaps – and we came out with



## YOUR PRESIDING REPORTER

RICK THOMASON

a thorough baseline of how we cover the news. The final report presented not only numbers, but it charted the results in stark fashion.

And stark, they were. Though many of the outcomes were as expected, there were a handful of surprises.

Inside every surprise, regardless of whether it's viewed as a positive or a negative, lives opportunity to improve your product for your readers, both in print and in digital format.

For instance, if your sources are skewed 75% male, there's an opportunity to get some balance and find more female voices. After all, females make up a larger part of the population, and quite possibly a larger part of your readership.

If your population is 35% minority, but just 8% of your stories are about minorities and unique

minority interests and issues, you should view that finding as an opportunity to find ways to make your coverage more reflective of your population. It builds credibility in not only the minority communities, but also among all readers.

If you choose to conduct a diversity audit, don't read it then just file it away. Make and execute an action plan to address your opportunities. And mark a date on your calendar 6-12 months out to use the exact same methodology to conduct a follow-up survey.

After all, what's the point of an audit of this nature if you're not going to act on it for the betterment of your product?

If you'd like a look at the final report of the Times News audit, shoot me an email at rthomason@sixriversmedia.com. It has not only our results, but also the methodology behind the survey.

*Rick Thomason is Tennessee Press Association president for the 2021-22 term. He is publisher of the Kingsport Times-News/Johnson City Press and president of Six Rivers Media, LLC.*

## POLICINSKI from Page 1

editors were jailed before the law expired in disgrace in 1802. Some 60 years later, Abraham Lincoln found reason to ignore freedom of the press by shutting down nearly 300 newspapers and arresting editors considered to be Confederate sympathizers.

During World War I, President Woodrow Wilson created the Committee on Public Information, a propaganda agency that operated directly out of the White House. To stifle war critics, Congress passed the Espionage Act of 1917, which is still in effect, and the Sedition Act of 1918. They again made it a crime to criticize Wilson, Congress, the war, the Constitution, even military uniforms. More than 2,000 people were prosecuted under these laws.

In World War II, dispatches from the front lines were routinely censored. Many major news correspondents accepted limits on what they could report in return for access to troops or to the means of transmitting their stories. By the early 1950s, the Cold War brought

about a host of governmental efforts to control information and opinion. It was the era of industry blacklists, Sen. Joseph McCarthy and the House Un-American Activities Committee. They ran roughshod over the rights of educators, entertainers, military personnel and government officials — often by merely targeting them as suspected communists — with disastrous impacts on their lives.

Protesters in the Vietnam War period were met with “America – Love it or Leave It” taunts, despite the First Amendment principle that public dissent is a protected means of challenging government actions and policies.

Vigorous, sometimes rancorous exchanges are exactly what this nation's founders saw as the best path toward mutual understanding and collective progress. In the end, our system of self-governance depends on the back-and-forth of the marketplace of ideas to arrive at the best possible decision for the greatest number of people. It's not perfect, but it's arguably a better outcome than what is produced

by a single voice speaking lies and propaganda.

The principal author of the First Amendment, James Madison, successfully endured a test of those freedoms. Faced with loud opposition to the War of 1812 – to the extent that New England threatened to secede – Madison sought no constitutional authority to silence his critics. He said, “Better to leave a few of its noxious branches to their luxuriant growth than by pruning them away to injure the vigor of those yielding the proper fruit.”

Let's hope we keep in mind Madison's good constitutional gardening advice on freedom of speech whenever anyone suggests we prune the “noxious branches” they happen to dislike.

*Gene Policinski is a Freedom Forum senior fellow for the First Amendment. This blog was originally published March 16, 2022, on Freedom Forum's website. It is republished here with Freedom Forum's permission. Reach Policinski at gpolicinski@freedomforum.org.*

# Owners/publishers: How is your succession plan looking?

The headline of a March story from the Poynter Institute really grabbed me, “Looking for a new journalism gig? Consider small newspaper ownership.” And the subhead identified a problem, and an opportunity, that our industry faces, it read, “Many newspapers are thriving in small communities but, without succession plans, they risk closure.”

Where does your newspaper stand as it relates to succession planning? Many Tennessee Press Association member newspapers are family-owned, or owned by a single proprietor, who love and are motivated to serve their community. How many of those great newspapers have asked themselves if they have a member of the family with the same passion who wants to take over and serve the community when the current owner/editor/publisher is ready



## FROM THE EXECUTIVE DIRECTOR

CAROL DANIELS

to retire?

Succession planning is something we often think about too late and, perhaps, too narrowly.

For decades, the answer for small newspaper owners was selling to a larger company, and that remains an option, but there can be other solutions, too.

The Poynter Institute story is about two universities that want to identify and train our next generation of publishers. The goal is to enable new leaders and owners who can continue the important work and grow the opportunity

of community newspapers. West Virginia University is offering a program called “NewStart,” and the University of Texas at Austin offers the “Rural Journalism Pipeline Project.”

There are conversations about other universities looking to start similar programs, if they can attract the funding, of course. This is great news!

There have been a number of journalism startups, which reflect an entrepreneurial mindset that our industry should embrace, but there is a lot to be said for taking on a business that is already established and infusing it with energy and ideas.

I remember when my daughter was studying journalism and was certain that she would graduate and immediately get her first job as the hockey reporter of the daily metro, which was the

most desired beat in that sports department. When she realized how long it would take to get that gig there was not a champion in that journalism program for alternatives like community newspapers. She ended up changing her direction and found a new dream. But to read about these students enrolled in the Rural Journalism Pipeline Project, and other programs like it, is very exciting to me and for our industry!

As I hear more on this project or of other universities adding programs like this I will be sure to share with you. You can read the Poynter article here, <https://www.poynter.org/business-work/2022/why-to-buy-a-small-newspaper/>

Carol

*Carol Daniels is executive director of Tennessee Press Association.*

## FOR YOUR CALENDAR

### May 2022

18-20: 2020 News Leaders Association (NLA) Annual Conference, “Journalism Unplugged,” virtual and in-person, MTSU, Murfreesboro, [newsleadersconference.org](http://newsleadersconference.org)  
19-20: E&P and 360 Media Alliance: News Publishing Audience and Advertising Summit, Hilton Hotel Airport, St. Louis, Mo.

### June 2022

23: TPA Concurrent Board Meeting & Business Session, 1 p.m., Sheraton Memphis Downtown Hotel, Memphis.  
23-25: Tri-State Press Convention, Arkansas • Mississippi • Tennessee, “Bylines, Blues & BBQ,” Sheraton Memphis Downtown Hotel, Memphis.  
23-25: 2022 National Federation of Press Women Conference, Radisson Blu hotel, Fargo, N.D.  
23-26: 2022 Investigative Reporters & Editors Annual Conference, Denver, Co.  
26-29 2022 American Jewish Press Association (AJPA) Conference, Atlanta, Ga.

### July 2022

20-24: 2022 International Society of Weekly Newspaper Editors Convention, University of Kentucky, Lexington, Ky.

### August 2022

25-27: 2022 National Native Media Conference, Native American Journalists Association in partnership with the Walter Cronkite School of Journalism and Mass Communication, Arizona State University, Tempe, Ariz.

### October 2022

12-14: E&P and 360 Media Alliance News Media Business Summit, Sheraton Hotel Downtown, Harrisburg, Pa.  
16-18: America’s Newspapers Annual Meeting and Senior Leadership Conference, The Roosevelt Hotel, New Orleans, La.  
26-30: Fall National College Media Association Convention in conjunction with Associated Collegiate Press, Grand Hyatt Washington, Washington D.C.

## NEWS & MOVES

### Tri-State Press Convention set for June 23-25

The Tri-State Press Convention is just two months away and set for June 23-25 in Memphis. For the third time in 18 years, the Arkansas, Mississippi and Tennessee press associations will meet together for a summer convention. Please save the dates and plan to join your fellow newspaper professionals for Bylines, Blues and BBQ!

The convention agenda and details will be available on April 25. Please visit the convention site at [tristatepress.org](http://tristatepress.org).

The event will be held at the Sheraton Memphis Downtown Hotel. The convention rate is \$154 plus tax and parking, per night. Reservations may be made by calling 844.683.8959. The convention hotel code for the special rate is PAJ.

This will be TPA’s second in-person event since February 2020.

*Staff reports  
March 20, 2022*

### Plazas is new District 2 director

David Plazas, director of opinion and engagement for The Tennessean, Nashville, and USA TODAY network newsrooms in Tennessee, has



Plazas

been appointed as a Director of District 2 on the Tennessee Press Association (TPA) Board of Directors. His appointment by TPA President Rick Thomason was effective

April 22, 2022. Plazas has been appointed to fill the unexpired term previously held by Maria De Varenne, who was the executive editor of The Tennessean. She retired in April.

*Staff reports  
April 26, 2022*

### TPA Concurrent Board Meeting & Business Session set for Memphis

TPA President Rick Thomason has called a concurrent Board of Directors Meeting and Business Session for Thursday, June 23 at 1:00 p.m. at the Sheraton Memphis Downtown Hotel. All member newspapers are invited to observe the Board meeting and to participate in the business session for the election of officers and directors.

*Staff reports  
April 26, 2022*

### TN Newspaper HOF nominations due by Aug. 31

The Tennessee Newspaper Hall of Fame honors those who have made an outstanding contribution to Tennessee newspaper journalism or who have made an extraordinary contribution to their communities and region, or the state, through newspaper journalism.

Nominations for the Hall of Fame are being accepted through Aug. 31, 2022, to be considered for induction in 2023. Sixty honorees have been inducted since the Hall of Fame was established in 1966 as a joint project of TPA and the University of Tennessee. All inductions are made posthumously. Information about the Tennessee Newspaper Hall of Fame, biographical sketches of the honorees and nomination information can be found at <https://tnpress.com/hall-of-fame/> or by sending an email to [rgentile@tnpress.com](mailto:rgentile@tnpress.com).

All nominees must be deceased two or more years prior to the nomination. A selection committee of five TPA past presidents will review nominations. A separate administrative committee will announce whether an induction ceremony will be held in 2023. An extensive renovation to the Tennessee Newspaper Hall of Fame gallery

in the Communications Building of the University of Tennessee was done in 2014-15. Association officials encourage those submitting nominations to consider including as much material about the nominee as possible. Materials may be submitted electronically by contacting TPA headquarters at (865) 584-5761, ext. 105 or [rgentile@tnpress.com](mailto:rgentile@tnpress.com).

The nomination form is available at [tnpress.com/hall-of-fame](http://tnpress.com/hall-of-fame).

*Staff reports  
April 26, 2022*

### TPA plans State Press Awards event for August

TPA is planning to present the State Press Contests Awards in August. The tentative date is Thursday, TPA will announce details when the date and location are finalized.

*Staff reports  
April 26, 2022*

### Newsprint shortage impacts Standard Banner

*Editor’s note: This is a reprint of a published notice to readers that ran in the Standard Banner, Jefferson City. It was published April 14.*

See **NEWS & MOVES** Page 8

# If you're not carefully proofreading your ads, you're asking for trouble

Proofreading is one of the most important skills in the advertising world. While anybody with a sense of humor can appreciate a harmless blooper (one of my favorites is the sign that read, "Ears pierced while you wait"), no advertiser wants to run an ad with a mistake. Many an ad campaign has been damaged by typographical errors, inappropriate illustrations and inaccurate information.

I remember receiving an email promoting a Zoom meeting that seemed interesting. However, the copy put a stop to any thoughts I had of registering. The date of the event was listed as March 9 in the headline, and as March 2 in the body copy. To make matters even more confusing, the email was sent during the first week of April.



Ad-LIBS®

JOHN FOUST

What are the chances that anyone made the effort to contact the advertiser to find out the real date? Slim and none. (And like the old saying, Slim just left town.)

Proofreading would have prevented that problem.

Early in my ad agency days, I designed a logo for a development company. When the printing was completed, I enthusiastically drove to their out-of-town office, my backseat loaded with boxes of letterheads, envelopes and business

cards. My excitement faded as soon as my client pointed out that one digit in their address was incorrect; what appeared as a 9 should have been a 7. The only way to handle the mistake was to offer to reprint everything at my expense.

Proofreading would have prevented that costly lesson.

Then there was the half-page furniture ad with "Store Name Here" at the bottom. Obviously, a manufacturer had provided the ad to local merchants who were supposed to insert their individual logos. In addition to being a glaring error, that probably cost that particular dealer some co-op money. Proofreading would have prevented that, too.

Typos can be sneaky. For example, take a look at this four-line headline:

DON'T MISS  
OUR BIGGEST  
SALE OF  
OF THE YEAR

The word "of" appears twice. Because we read at a glance and jump to conclusions in a fraction of a second, it's easy to miss important details.

Proofreading shouldn't end with typography. Consider the photo of the fashion model who posed in a national ad, wearing a baseball glove on the wrong hand. Or what about the photo that was flipped so it would face in the opposite direction? The problem was that the subjects ended up with t-shirts featuring backwards letters.

Advertisers may have approved each one of those ideas. But that doesn't mean they happily accepted responsibility for the mistakes.

It would have been better to present them with proofing copies that were as close to perfect as possible.

The point of all this is simple: (1) Proofread everything before it is published. (2) If possible, ask someone else to proofread it. (3) Then check it one more time for good measure.

Speaking of measuring, this seems like a good time to quote carpentry's famous slogan: "Measure twice, cut once."

*Copyright 2022 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*

## BILLS from Page 1

The legislation also requires that the governing body provide a way for citizens to remotely view and listen in real-time to such meetings. The governing body also must provide a way for citizens to provide public comment via electronic means when public comment is normally allowed.

The bill defines electronic means of communication as "communication by video conference or audio conference and may include the use of an internet-based platform, but does not include email." The bill also applies to emergency communication district boards, which are covered under the same law as the state boards and commissions.

The change will bring more transparency to the work of dozens of state boards and commissions that use electronic means to conduct meetings. For example, the bill applies to state university boards, environmental oversight boards, and such closely watched boards as the state election commission and state historical commission. It applies to all state boards.

The amended bill passed both the House and Senate unanimously.

"This bill requires state boards and commissions and emergency communications district boards that are authorized to meet electronically to provide a way for the public to view or listen to their meetings in real-time by electronic means as well," Gardenhire said while presenting the bill on the Senate floor. "The bill will

bring Section 108 of Open Meetings Act regarding electronic meetings up to present-day technology."

Gardenhire noted that the changes would not expand or diminish the ability of governing bodies to use video or audio conferences for meetings. "It simply creates better public access for those governing bodies who are already authorized to do so," he said.

## Transparency about deaths in county jails and state prisons

SB 2802 / HB 2613, sponsored by Sen. Kerry Roberts, R-Springfield, and Rep. Jeremy Faison, R-Cosby, requires that local jails and state prisons maintain a public record of deaths of individuals in their custody. The records must be open for public inspection.

The amended bill states that the jail or prison record must include:

1. The identity and age of the deceased individual; 2. The time and date of the death; and 3. The cause of death as determined by the county or state medical examiner pursuant to § 38-7-109

Sen. Roberts, in presenting the bill on the Senate floor, said that the bill codifies what should already be best practice in jails and prisons.

Sen. Jeff Yarbro, R-Nashville, thanked Roberts for the bill but asked why the amendment had deleted language from the original bill that also required the jails and prison to provide the "facts con-



Roberts



Faison

cerning the death of the individual that are in the possession of a government entity, provided that information that is relevant to an ongoing investigation may be redacted."

Roberts said that the sheriff's association had asked to remove that part of the bill because of the complication that some of those facts may

still have to be adjudicated, but that perhaps the issue could be revisited later.

Signing on as co-sponsors of the legislation were Sen. Ken Yager, R-Kingston; Rep. G.A. Hardaway, D-Memphis; Rep. John Crawford, R-Bristol and Kingsport; and Rep. Larry Miller, D-Memphis.

Jails and prisons are required to report deaths in custody to the Tennessee Bureau of Investigation, but the new legislation would assure that information is accessible to citizens locally from the jail or prison where a person died.

## Clarification in public records law governing access

A third bill, SB 1682 / HB 1854, updated language in the public records law to add clarity to passages that sometimes cause confusion between requesters and the government. Gardenhire of Chattanooga sponsored the bill in the Senate and Rep. Sam Whitson, R-Franklin, sponsored it in the House.

The legislation, already signed into law by Gov. Bill Lee, clarifies that a governmental entity does not have "to sort through files to compile information into a new record," adding the words "into a new record." The change is in accordance with how the statute has been interpreted by the Office of Open Records Counsel and the courts. In other words, a governmental entity is not required by law to sort through files, glean information from those files and putting that information together into a new record, to satisfy a public records request. Occasionally, a governmental entity has asserted that the statute meant they did not have to sort through files to find the public records responsive to the request.

The legislation also replaced the word "specific" with "responsive" so that the law now reads: "A request for inspection or copying of a public record must be sufficiently detailed to enable the governmental entity to identify responsive records for inspection and copying." The change was made so that it was clear that a citizen did not necessarily have to state the exact or "specific" title of the record although they still must



Whitson

provide enough information so that the governmental entity can identify the records that would be responsive.

State law already gives government entities the option

to require a requester to provide identification. The purpose is to ensure the requester is a Tennessee resident, as Tennessee's open records law does not mandate government entities to fulfill requests from people out of state. Most people have government-issued photo identification with their address, such as a driver's license.

Under the previous law, if the person did not have photo identification with their address, the government entity could require other forms of identification "acceptable to the governmental entity." The change added clarity to the purpose of the other identification by replacing "acceptable to the governmental entity" with "evidencing the person's residency in the state."

Signing on as co-sponsors on the bill were Sen. Ferrell Haile, R-Gallatin; Rep. Jerome Moon, R-Maryville; Rep. Patsy Hazelwood, R-Signal Mountain; and Rep. Darren Jernigan, D-Nashville.

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

# Use your special insight to recommend election choices

Coverage of public affairs – recording the actions and inactions of governing bodies from local to federal levels – demands attention from newsrooms year-round. And for good reason. Elected officials regularly debate and craft public policies that affect citizens' everyday lives.

Newsrooms provide readers a ringside seat, and often a behind-the-scenes view, into the decision-making process.

So why are newspapers increasingly hesitant to recommend individuals for elective office, especially those officials serving on local city councils, county boards and school boards?

Regular readers of my column know my passion for vibrant editorial pages. I firmly believe that vibrant editorials are at the heart of vibrant communities. It's time to once again encourage newsrooms to take that final step in their election coverage: Endorse those individuals you believe will best represent and advance the interests of your community. I consider endorsements among the highest calling in a newspaper's role as government watchdog.

The general election is months



## COMMUNITY NEWSROOM SUCCESS

JIM PUMARLO

away. Now is a perfect time to start the internal discussion to design and implement a methodical and logical process for offering endorsements. It's easier than you might think.

I'm always perplexed by editors and publishers who shy away from recommending ballot choices, especially those newspapers that regularly take strong stances on advising decision-makers on a particular course of action. For one community, it might be a city council's deliberations on whether to offer tax incentives for a big-box retail development. For another, it's a school board debating whether to close a school and reconfigure grade levels. On a state legislative level, editors routinely weigh in on tax, health care, public safety, social justice, transportation and myriad other public policies.

If the newspaper as a community institution advocates for or against a position taken by an elected body, why not advance equally strong convictions about the people who ultimately will make those decisions?

Newspapers that excel in elections coverage offer a continuum of reports beginning with candidate announcements. Reporters quiz individuals on a variety of issues, then follow with a critical eye their actions once in office. Do candidates stay true to course, or do unexpected circumstances prompt a change of heart in their votes? In a nutshell, the newspaper is a clearinghouse of information and has particular insight on the candidates and the dynamics behind their votes. So why not share that perspective with readers?

Many newspapers find it relatively painless to weigh in on the strengths and shortcomings of, say, national or federal candidates, even candidates seeking elective office at a state or provincial level. It's quite the opposite when recommending individuals for the local school board or city or municipal government. Yet these races are the most important for community

newspapers to address in news profiles and endorsements.

Endorsements in local races clearly are the most challenging, often complicated by personal relationships that candidates may have with the publisher or other key staff members. Here's one blueprint to navigate a path that might appear to be filled with minefields.

As a first step, brainstorm the priority concerns in each race. Solicit ideas from your entire newspaper family as well as key community members. These issues will be the basis for candidate interviews, and their responses will provide a framework for endorsements.

Then evaluate candidate answers on specific public policies and how they align with community interests. Focus on the facts and avoid straying into personalities.

If you're still hesitant to endorse, consider this strategy. Frame the editorial outlining what the newspaper identifies as the key issues in a race – and where you stand on these points for the betterment of your community. Then encourage readers to vote for the candidates who are in sync with those stances. You have not identified specific

candidates, but your message allows readers to connect the dots.

As always, allow readers the opportunity to deliberate your recommendations. Readers still may challenge your practice of "telling us who to vote for" – their words. But they will be doubly upset if you don't give them the chance to debate the reasons behind your endorsements.

Letters are the lifeblood of an editorial page. Nothing is more satisfying than an editor opening up the newspaper to a lively exchange of opinions. Take steps now to ensure that your voice is part of the conversation this election season.

*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](http://www.pumarlo.com) and welcomes comments and questions at [jim@pumarlo.com](mailto:jim@pumarlo.com).*

## OBITUARIES

### Vernon Weldon Payne

Vernon Weldon Payne, 92, of Manchester, died on Wednesday, April 6, 2022. He was born in Thrifty, Tex., on February 13, 1930, to Millard Vernon and Martha Jane Payne, and was married to Barbara Payne for 65 years. He spent most of his childhood in Apex, Ala. and following employment in the Fairfield, Ala. steel mills, he served in the United States Navy during the Korean War.

Traveling the world on the USS Daly and the USS Caperton, both destroyers, was a highlight of Weldon's life and is where he started a newspaper for the sailors, as he worked in the ship office, reporting to the commanding officer. Following his military service, he graduated with a B.A. degree from the University of Alabama, where he majored in journalism and fiction writing. It was at Bama where he met and wed Mississippi



Payne

native Barbara Bridges who was then teaching at MS College. Weldon was a licensed barber while attending the university. Weldon was a gifted writer, artist, teacher, and newspaper man. He worked for the Jackson Daily News (Miss.), Nashville Banner, Huntsville Times, Associated Press in Birmingham, Ala., and the Tullahoma News. Beginning in 1962, he served as editor and publisher of the Manchester Times for 17 years. For more than ten years, he taught numerous courses at Motlow Community College and finished his career in Public Relations and Communications for University of Tennessee Space Institute.

Beginning in college and spanning over 55 years, Weldon wrote

a weekly column, "Through the Pane," in local and Southeastern newspapers covering wide-ranging topics that included ordinary life experiences and reactions to daily events. He published several works of fiction and collections of columns and stories, including *A Taste of Time*.

Weldon is survived by his wife, Barbara, and three children and their spouses: Chris and Cherry Payne, Gainesville, Fla.; Scott and Valerie Payne, Goodlettsville, Tenn., and Jill and Hunt Dunlap, Macomb, Ill. Weldon and Barbara have eight grandchildren and ten great-grandchildren. Weldon has one sister, Dr. Doris Carney, Manchester. His parents Millard and Martha Payne and two other sisters, Ione and Pauline and his two brothers Talmadge and Buddy are deceased, as well as a great-grandson, Jackson Purvis. Donations to Alzheimer's TN (South Central TN Office, 207 N.

Jackson Street, Tullahoma, Tenn. 37388) are appreciated. Donations can also be made to First Baptist Church, Manchester, Tenn.

*Manchester Times  
April 4, 2022*

### Gladys Whitley

Gladys Whitley, 90, passed away on Saturday, April 16, 2022. She was born on March 25, 1932 to the late Henry Jordan Hyde and Annie Lee Steelman Hyde in Ripley, Tenn. She graduated from Ripley High School.

Gladys was a career banker and retired from First State Bank. She enjoyed horseback riding in her younger years, meeting new people, and showing people around Tipton County. She was a member of First Baptist Church in Covington, Tenn.

Her husband, the late George T. Whitley, was a former publisher of The Covington Leader and a past president of TPA. The Whitleys



Whitley

were very involved with TPA and its affiliate Tennessee Press Service.

Gladys is preceded in death by her husband, George Truitt Whitley. She is survived

by her two sons, Dr. Stan Jordan Whitley (Sharon); Bret Hyde Whitley (Dorothy), her brother, Dr. Ralph Hyde (Donna), three grandchildren, Anna Whitley Anderson (Roby); Jordan Whitley Barron (Coleman); Ethan Eubank Whitley, and two great-grandchildren, Whitley Grace Anderson and William George Anderson.

In lieu of flowers, gifts in memory of Gladys can be offered to First Baptist Church in Covington or a charity of your choice.

*Submitted/Staff reports  
April 18, 2022*

TPA MEMBER COVERAGE SHOWCASE I: **The Tennessean, Nashville**

## Unable to finish college until third try, millionaire entrepreneur helps other Black men get degrees

**BRAD SCHMITT**  
The Tennessean, Nashville  
February 6, 2022

He was the first one from his working-class family to go to college, and Darrell S. Freeman Sr. had to battle to get his degrees.

After learning to fix TVs and radios at his technical high school in Chattanooga, Freeman studied electronics at DeVry University in Atlanta. But he ran out of money after eight months.

Then he went to Chattanooga State Community College, but the general education classes tripped him up. After one quarter — 10 weeks — he flunked out with a 1.234-grade point average, a number that still tickles Freeman.

A few weeks later, a neighborhood buddy asked Freeman to help him move out of his dorm room at Middle Tennessee State University in Murfreesboro.

As soon as he got on campus, Freeman fell in love.

“You see kids happy, some kids had nice cars. It was something I’d never seen before, and I had never been on a college campus like that,” Freeman said.

“I get to his dorm room, and I say, ‘You mean to tell me this is



Submitted

**Darrell S. Freeman Sr. ran out of money on his first try at college, then later flunked out, but the third time, because of his hard work, was the charm.**

your own room with your own phone, and there’s a place you can go eat every day? Wow, I’ve gotta go to school here!”

Freeman found a way — and enough grants and loans — to make that happen.

He continued to struggle academically, at first. But seven years later, Freeman had a bachelor’s degree, a master’s degree and a strong mentor and friend in a professor he once called a racist.

About a year later, Freeman created an IT company that he sold 25 years later for more than \$20

million.

Now he invests hundreds of hours and millions of dollars to help young, disadvantaged people go to college and budding Black entrepreneurs succeed.

“I spent the majority of my life getting money,” Freeman, 57, said. “I want to spend the majority of the rest of my life giving.

“I want to use my voice, my reputation, my resources to find people and help them become better.”

Freeman said he concentrates on helping African Americans in part because

he grew up without professional Black role models.

### ‘Mr. Wren is our friend’

Freeman’s dad was a foundry worker who poured iron for 38 years, and his mom worked as a maid. They rented half a duplex in a Black working-class neighborhood in Chattanooga.

Freeman remembers the light pole near his house that served as home base during games of hide-and-go-seek for him and the

## Service with a smile



Robyn Gentile/TPA

**J.T. Russell of The LaFollette Press showed up Friday, March 11, at the TPA offices in Knoxville to deliver his newspaper’s Best Special Issue entry for the 2022 State Press Contests. The winners will be announced in August.**

other kids who lived nearby. The children also saw drug dealing in the neighborhood.

They rarely saw professionals — doctors, lawyers, and professors — and no one in Freeman’s family had gone to college.

At 15, Freeman followed a cousin, Kenny Timmons, to Kirkman Technical High School, where Freeman learned to fix TVs and

radios.

That school had a relationship with DeVry University in Atlanta, so Freeman moved into an apartment with three other students and enrolled in a 20-month technician program. Even though Freeman had a part-time job at Service Merchandise, he ran out of

See **FREEMAN** Page 12

TPA MEMBER COVERAGE SHOWCASE II: **Johnson City Press**

## Unicoi native hikes Pinnacle Mountain Fire Trail 400 times

**KAYLA HACKNEY**  
Johnson City Press  
December 27, 2021

Steve Wilson has always loved the outdoors. That’s why he’s making his own little detour up the Pinnacle Mountain Fire Tower trail.

The 71-year-old made his 400th trek to the top of the Pinnacle Mountain Fire Tower trail in Unicoi on Dec. 19, 2021. Wilson said he started keeping track of his trips up the trail in 2015.

“I’ve been keeping track of it since 2015, but I keep track of all my steps,” Wilson said. “I’ve got Excel spreadsheets and I put down how many steps I walk every day.”

The Unicoi native has two degrees in forestry and has been a

lifelong hunter and fisherman, so it makes sense that when he was looking for a way to be more active he decided to take up hiking.

“I decided to maybe get healthy about 11 years ago when I turned 60,” said Wilson. “I quit smoking and lost a little weight and decided I’d replace smoking with walking.”

Wilson said he hikes the trail as often as twice a week when he’s in town, but when he’s out of town he does quite a bit of hiking in other spots too. Wilson has hiked more than 1,400 miles of the Appalachian Trail and said that his goal is to walk 10 miles each day no matter where he is.

“My goal is to walk 10 miles a day, to average 10 miles a day,” Wil-



Submitted

**Unicoi native Steve Wilson has hiked the Pinnacle Mountain Fire Trail 400 times. He reached the 400 mark on Dec. 19, 2021, and has been keeping track of his number of times completing the trail since 2015. “I’ve got Excel spreadsheets, and I put down how many steps I walk every day. I decided to maybe get healthy about 11 years ago when I turned 60.”**

See **HIKER** Page 8

# Tri-State Press Convention June 23-25 in Memphis

**Educational Sessions • Trade Show • Networking • Golf •  
Silent Auction • BBQ and Blues Party • and more!**

*“This convention is a perfect venue for our three associations to build bonds and celebrate everything that still makes newspapers a cornerstone of our democracy. The program is shaping up to be enlightening, informative and worth far more than the cost to attend. Come join us in Memphis for **Bylines, Blues & BBQ!**”* —Rick Thomason, TPA President

## Convention registration and information

Registration is now open for next month’s Tri-State Press Convention in Memphis. The event will be held June 23-25 and bring together members of the Arkansas, Mississippi and Tennessee press associations for two days of networking and industry discussion.

Visit [www.tristatepress.org](http://www.tristatepress.org) for more information on accommodations, the agenda, and to register.

## Hotel reservations

The convention hotel is the Memphis Sheraton Downtown, and the group rate is \$154 plus tax and parking, per night. The deadline for hotel reservations is Friday, May 20. Call 844-683-8959 and reference the group code PAJ.

## Silent Auction

If you can donate an item for the Silent Auction, please contact Victor Parkins, TPA Foundation president at [victor@milanmirrorexchange.com](mailto:victor@milanmirrorexchange.com).

## Golf outing at Mirimichi Thursday at Noon

Join fellow golfers at the Mirimichi Golf Course in Millington for an afternoon round of golf. Find more information about the course at [www.mirimichi.com](http://www.mirimichi.com). Lunch at noon. We thank Mark Russell, executive editor of The Commercial Appeal, for coordinating the golf outing.

## Speaker and session information

Please visit the convention website for complete session descriptions and speaker biographies. [www.tristatepress.org](http://www.tristatepress.org)

## Convention schedule

(subject to change)

### Thursday, June 23

- 11:00 a.m. Registration desk opens
- Noon Joint Board Luncheon
- Noon Golf Outing — Mirimichi Golf Course, Millington
- 1:00 p.m. TPA Concurrent Board of Directors Meeting and Business Session
- 6:00 p.m. Welcome Reception
- 7:00 p.m. Dinner on your own

### Friday, June 24

- 7:45 a.m. Continental breakfast
- 7:45 a.m. Trade Show open
- 8:30 a.m. General Session
- 10:00 a.m. Break in Trade Show
- 10:15 a.m. General Session
- Noon Opening Luncheon



**ARKANSAS  
PRESS  
ASSOCIATION**

**TENNESSEE  
PRESS  
ASSOCIATION**

**MISSISSIPPI  
press  
ASSOCIATION**

- 2:30 p.m. Concurrent Sessions
- 4:00 p.m. Break in Trade Show with door prizes
- 6:00 p.m. Hospitality Hour in Silent Auction
- 7:00 p.m. BBQ and Blues Dinner Party Featuring entertain

### Saturday, June 25

- 8:00 a.m. Continental breakfast
- 8:00 a.m. Registration opens
- 8:00 a.m. Silent Auction opens
- 9:00 a.m. Round Table discussions
- 10:00 a.m. General Session
- 11:00 a.m. check out

ment and games

## Trade Show vendors

(as of 5/2/22)

- Advantage Informatics
- Associated Press
- CODA Ventures
- Creative Circle Media
- Little Rock Convention & Visitors Bureau
- Modulist
- The Newspaper Manager
- Signature Offset

[www.tristatepress.org](http://www.tristatepress.org)

**NEWS & MOVES** from Page 3

Readers will see a more condensed version of their weekly newspaper over the next few weeks, as The Standard Banner staff deals with industry-wide newsprint delays.

“We have enough paper to get us through the month of April,” said Publisher Dale Gentry. “But beyond that, we’re at the mercy of our supplier and trucking companies that deliver it.”



**Gentry**

Typically, the newspaper gets a shipment of newsprint every 5-6 months, with several weeks of paper still in reserve when a new truckload arrives. However, Gentry said the current order of newsprint – produced by Resolute Forest Products at its Mississippi plant – is currently six weeks late, and will be two months late by the time it is projected to be delivered. The problem is due partly to issues at the plant, and a shortage in the trucking industry – which is an issue nationwide.

“The delay is forcing us to find ways to condense our content over the next three weeks to stretch the paper we have left as far as it will go,” Gentry said. “We hope we will be able to obtain some extra rolls from nearby papers who run a similar size to allow us to keep printing into May – until our next shipment comes in.”

For readers, the conservation measures will mean fewer pages in the next few issues, though the staff will do everything it can to

include the usual features. Any stories that cannot be included in the print edition will be put online. To make access easier for those not already connected to The Standard Banner web site, the paywall will be dropped for the next few weeks, allowing easy access to full content, without a password.

Beginning Monday, April 18, full content will be available by going to [standardbanner.com](http://standardbanner.com).

Other changes due to the shortage of newsprint will include the shifting of a few special sections to May, and cutting out the hard copies usually delivered to schools as part of the paper’s Newspaper In Education program over the next few weeks.

The KidScoop page will also go online, probably for a few weeks.

“These changes should be temporary, and once a new shipment of newsprint arrives, we will return to our normal page count,” Gentry said. “We appreciate our faithful readers, and ask everyone to have patience with us for the next few weeks as we work through this challenging situation.”

*Editor’s note: The Standard Banner informed readers that its newsprint supply arrived on April 26.*

*The Standard Banner,  
Jefferson City  
April 14, 2022*

**Veteran journalist named Times editor**

The Macon County Times, Lafayette, has a new editor. Andy Dennis, a veteran journalist from Bowling Green, Ky., has taken over from Megan Purazrang, who

resigned in March.

Dennis, 59, spent most of his newspaper career with the Bowling Green Daily News, eventually rising to managing editor. After leaving that position, he worked as a roving editor for Landmark Community Newspapers.



**Dennis**

Times Publisher Mike Alexieff said, “I’m excited to have Andy on board. He is the consummate professional, and our readers and advertisers can look forward to a constantly improving product.”

Dennis will also be over sister publications the Portland Leader and the Franklin Favorite in Kentucky.

“I’m excited to be back in journalism,” said Dennis, who has spent the past few years in the auto industry. “Today, more than ever, community journalism is essential. Local newspapers and their websites are still the best, most reliable sources of information in most towns.”

Dennis plans to increase local content and contributions from the community. He intends to mold the Times into a more informative publication that reflects Lafayette residents’ lives and the culture of the city.

The Times is part of Paxton Media Group, a Paducah, Kentucky-based, family-owned chain of daily and weekly newspapers.

*Macon County Times, Lafayette  
April 7, 2022*

**Warren named Sun lifestyles editor**

Lisa Warren has been named lifestyles editor of The Greeneville Sun.

She will be returning full time to The Greeneville Sun, after having previously worked many years as a staff writer and section editor with the newspaper.

A Greene County native, Warren is a 1985 graduate of South Greene High School. She continued her



**Warren**

education at East Tennessee State University, where she earned a bachelor of science with a triple major in mass communications, English and political science,

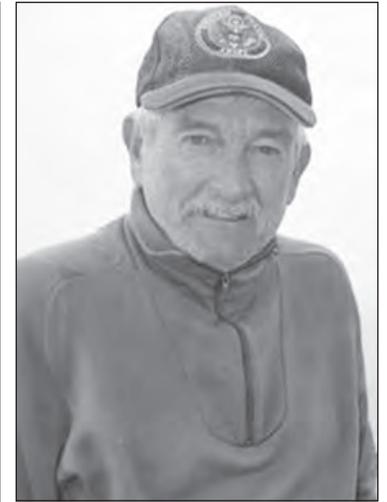
graduating with honors in 1989.

During her college career, she worked with the campus publication, The East Tennessean, serving as a writer and news editor, and with the Kingsport Times-News as a public records reporter for Washington County. She also worked as a news intern for two summers with The Greeneville Sun.

After graduation from ETSU, she accepted as position as a staff writer at The Mountain Press in Sevierville, and later as a copy editor at the Maryville Daily Times, in Maryville. She returned to The Greeneville Sun in late 1990 and continued her career, serving her hometown newspaper for nearly 29 years.

In the past few years, Warren has worked as a Public Health Office assistant with the Greene County Health Department and as a job recruiting specialist with Staffmark. Most recently, she has been serving as a freelance writer for Continental Publishing of New York.

*The Greeneville Sun  
April 14, 2022*



Submitted

**Hiker Steve Wilson atop the Pinnacle Mountain Fire Tower.**

**HIKER** from Page 6

son said. “And in general, I get close to that on a yearly basis. I’ve usually averaged a little over nine miles a day for the past seven years.”

Wilson said it takes him around two hours to hike to the top of the Pinnacle Mountain Fire Tower trail, and while he said the view from the tower is one of the best around, the real appeal of the trail is the effect hiking it has on his health.

“It’s good exercise,” Wilson said. “When you get past a certain age you’ve got to do something to keep your health going, and you can either sit on the couch somewhere and eat everything in sight and go straight to the graveyard, or you can take a little detour. And I’m just trying to take a little detour I guess.”

Post your newspaper’s job openings at [www.tnpress.com](http://www.tnpress.com).

Contact Robyn Gentile for more information at [rgentile@tnpress.com](mailto:rgentile@tnpress.com)

**TPA Needs YOU to judge the Hoosier State Press Better Newspaper Contest in late May**

TPA needs judges for the Hoosier State Press Association’s contests at the end of May. Please sign up to judge at [tinyurl.com/JudgeforHoosiers](http://tinyurl.com/JudgeforHoosiers) or email to [rgentile@tnpress.com](mailto:rgentile@tnpress.com). Thank you!

**Free webinars for TPA members**

**May 12**  
*From Once Upon a Time to the End*

Register at [www.OnlineMediaCampus.com](http://www.OnlineMediaCampus.com). Contact [rgentile@tnpress.com](mailto:rgentile@tnpress.com) for the TPA coupon code.  
*Archived webinars also available with TPA code.*

**TPS** Tennessee Press Service Advertising Placement Snapshot

	ROP:	Networks:
March 2022	\$116,223	\$15,019
Year* as of March 31	\$399,795	\$87,026

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

# Citizen discovery is most important issue in vetting proposed developments

*Author's note: This April 22 column is part of a monthly series written for Tennessee Press Association member newspapers that explores transparency in government in Tennessee.*

I recently had a conflict with a developer who is building a multi-million-dollar subdivision near my home. I can now tell you first-hand what callers to Tennessee Coalition for Open Government's Help Line have been telling me for years: It's hard for citizens to get information they need in a manner timely enough to make a difference to protect their own property value and interests. This is true whether you live in the red-hot growth region of Middle Tennessee or a small town or rural county eager for new jobs.

Why are the cards stacked against citizens? For one, developers are not required to disclose everything about their plans. I recall a few years back when Greene County approved a rezoning for a new industrial plant without telling citizens the owner of the plant or even what the plant planned to manufacture — materials for



## TN COALITION FOR OPEN GOVERNMENT

DEBORAH FISHER

industrial explosives as it turned out. Residents were in the dark and appropriately suspicious and outraged when this rezoning was jammed through.

Even if you've got good local government acting in a transparent way, a second problem is that the potential impacts — such as on the environment — are not always readily recognizable or provable.

That's why oil refineries, viewed as beacons of progress with good-paying jobs, were once commonly built next to neighborhoods. Only decades later did concerns about toxic emissions and explosions take root and buffer zones began to be established.

Our fellow citizens serving on planning commissions and city commissions may have more in-

formation than other residents, but they don't have all the information. And without information, they might not be fully equipped to ask the right questions.

On the other hand, a company who wants something may commission a study and give a rosy view of their plans. But much of the information the governing body is getting is just that: a plan, an estimation of new jobs, an estimation of the success of the project.

Then we have the real tension: Some members of governing bodies are willing to overlook unanswered questions or discount some negatives in favor of benefits brought by the new development.

Maybe it's a needed landfill. Maybe it's an industrial plant that will bring jobs and new property taxes. Maybe it's a new apartment building for a growing number of residents needing housing.

There's a name for current residents who make a fuss: NIMBYs as in "Not In My Back Yard." A landfill has to go somewhere, of course.

I doubt anyone keeps a list of all the unjust or even ultimately

"wrong" decisions made in developing our communities. I'd like to think we get it right more times than we get it wrong. But getting it right means access to information — both by citizens and by our representatives in government.

We need to get rid of the public records exemptions that allow government to withhold information about economic development deals until after agreements are made and even, in some instances, signed. This hides crucial information until it's too late for citizens to weigh in.

Along the same lines, we need to get rid of code names for companies who are negotiating land deals with government, economic development incentives and zoning changes. Those companies should be required by law to act transparently when they are interacting with our government.

More squarely on the citizen front, we need to use technology to provide more information to residents affected. When a property is considered for rezoning, notices are mailed to residents in neighboring houses. But why stop there?

Why can't citizens sign up for notifications on anything affecting their property?

Why don't 100% of local governments in the state have a website with all meeting agendas, meeting materials and developer materials online so it is easily accessible to citizens? Why aren't all the planning and zoning regulations online so that citizens can understand their rights?

Why aren't all public meetings video-recorded with the video available to residents on the government's website?

Citizen discovery and engagement is the most important issue in making the best decisions.

Do you have ideas for improving access to information about proposed developments? I'd love to hear them. Go to our website, [www.tco.gov](http://www.tco.gov), info and drop us an email.

*Deborah Fisher is executive director of Tennessee Coalition for Open Government, an organization that has monitored and researched open government in Tennessee since 2003.*

# Why arguments for regulating social media fail the First Amendment test

KEVIN GOLDBERG  
Freedom Forum  
February 23, 2022

*Editor's note: This article, reprinted with permission from Freedom Forum, was written before Elon Musk moved to purchase Twitter.*

Many Americans are frustrated with social media's moderation — too much or too little. Some are asking the government to step in.

These companies have their own First Amendment rights. Any attempts to hold them accountable must be accompanied by a compelling government interest and be written narrowly enough to not infringe protected speech. Forcing Twitter to host those with whom the company disagrees or forcing Facebook to police misinformation would not satisfy these requirements. That's why supporters of government regulation have been seeking new justifications. Many have taken up this task. So far, all have failed.

## Misinformation and the First Amendment

State legislatures in New York

and Washington tried to tackle misinformation online. Neither of the states' bills have passed, and both appear clearly unconstitutional because the First Amendment protects the general right to make false statements (other than the narrowly defined areas of defamation or false advertising).

Some states have attempted to prevent social media platforms from suspending, banning or otherwise punishing speakers who violate their broad terms of service. Bills introduced in Texas and Florida have been immediately — and successfully — challenged in court. Similar bills have been introduced in Georgia and Ohio.

These four bills have taken three paths to ensure compliance with the First Amendment. All four try to reclassify social media sites as "common carriers." Ohio and Georgia seek to designate social media as a "public forum," with Ohio also trying to attach "public accommodation" status as well.

Here is what each of those terms means and how they may or may not apply to social media.

## Social media as a common carrier

### What is a common carrier?

A common carrier is a service that holds itself out to all members of the public in providing essential goods and services for a fee. Think railroads, phone companies, utilities, etc.

### Why use this as a basis for regulating social media?

In part because they usually have near-monopoly control over their industry, common carriers are prohibited from discriminating among customers based on content. For example, the phone company cannot allow calls from one group of people but not others. If a traditional telephone company is a common carrier by virtue of its use of a digital network to connect people, then a digital platform must be as well. As a common carrier, social media companies would be required to treat all users equally.

### Why this comparison doesn't work

It has been rejected by federal courts in Texas and Florida. In preventing enforcement of the Texas

law, a federal judge explained that "social media platforms are not mere conduits" for others' speech. Their screening, moderating and curating of users' speech differentiates them from Internet providers and telephone companies.

More fundamentally, social media companies are not like phone, water, or power companies because they don't charge a fee for access. Common carriers are forced to treat everyone equally because everyone needs them and should pay a fair price. But social media is free and theoretically doesn't need the same protection for users who have other options.

## Social media as a public forum

### What is a public forum?

The concept of a public forum predates the Constitution — and the country — itself. A public forum exists when the government opens property for expressive activity. Think the village green.

### Why use this as a basis for regulating social media?

Once the government designates

property as a public forum, it must allow all to enjoy the right to speak. Even in those instances where the public forum designation is limited in time or place, all speakers must be treated equally. There cannot be any viewpoint discrimination.

See **SOCIAL MEDIA** Page 10



The Tennessee Press Association Foundation gratefully acknowledges a contribution

In memory of

**Gladys Whitley**

given in  
remembrance by  
Gregg & Kitty Jones

# 'Financial hazing' of new journalism hires ultimately hurts all of us

A journalism student about to graduate and enter the job market recently shared on social media that she was nervous about the low-pay for her first job, wages that would be less than working at a big box retailer or at a restaurant.

One of the veteran journalists in the social media group where she posted responded almost predictably with the same advice I was given decades ago when I was about ready to graduate from college: "This is about doing what you love and not about what you're going to make. If you love what you're doing, it won't matter."

Although it certainly varies by market and by the size and type of media outlet, the pay scale for journalists has always been comparatively low, still hovering around \$25,000 as a starting salary in many places, either in print or broadcast.

The median annual wage for news analysts, reporters and journalists was \$49,300 in May 2020, according to the US Bureau of Labor Statistics. It was still higher than the median for all workers, which was around \$41,000. So we're not the worst. Yay?

It's almost a running joke on many websites focused on career and salary numbers. "Long



## LOCAL MATTERS

JACKIE SPINNER

story short, those who are skilled enough can make a living as a journalist," according to Shmoop, an Arizona-based education technology company. "Some people get lucky, and some people work hard their entire lives to make ends meet. Others barely make enough to keep the internet on—and to a journalist that's probably even more important than food."

Our business model is broken, our newsrooms are shrinking or disappearing in many places and sectors—while growing in others, and because of that perhaps, we expect to attract and recruit young journalists to come work for the cause just like we did.

It reminds me of the one-apace that my generation—Gen X—often displays in talking about millennials or Gen Z. We survived without seatbelts and helicopter parenting. We didn't die from all of the hairspray fumes. We

scraped by near the poverty line and emerged from it intact.

It's a ritual financial hazing that has to stop.

We simply cannot expect or demand that the next generation of journalists come work for us at barely minimum wage, without at least offering other workplace incentives that help offset it. Of course workplace incentives don't pay the rent. But we certainly cannot hope to attract the most qualified, diverse candidates on near poverty wages in toxic or unsupportive newsrooms, meaning our smallest new organizations will continue to be some of the least reflective of many of our communities.

We can be do better by the young people we hire, by listening to their safety concerns when we send them out along on assignment and by creating inclusive workplace cultures.

I get it. I know that financial reality of small community news organizations that are struggling to emerge from the pandemic with decreased advertising revenue. I get that we are competing for young viewers and readers who don't want to pay because we gave our content away for free for so

long that even their parents don't understand that it costs to produce good, credible content.

Because of the labor shortage, we can't find customer service representatives or carriers, and every small town publisher knows that nothing raises the ire of local readers like a late paper.

But local media outlets should not distance themselves from the reckoning over wages and work conditions even if we are not starved for employees.

Overall, the United States has more open jobs (11.3 million) than unemployed workers (6.3 million), according to the US Chamber of Commerce. That means if every unemployed person in the US found a job, the country would still have nearly 5 million positions without a worker.

The health care, hospitality and food sectors are having the hardest time attracting and retaining workers.

Some sectors like construction and mining have the opposite problem, more available workers than jobs. The news industry is in a similar position.

There were more than 14,000 journalism degrees awarded at US colleges and universities in 2020.

The Bureau of Labor Estimates projects 5,400 openings for news analysts, reporters, and journalists each year, on average, over the decade.

A few weeks ago an editor at a medium-sized newspaper in Ohio called me to check the reference of a former student of mine, a star student whose passion for journalism and accountability reporting, whose drive and work ethic is a model for other young journalists.

The editor acknowledged that she likely wouldn't remain with the news organization for long. She was ambitious, good at what she did and would be lured by higher paying jobs in a few years.

But in the meantime, he planned to offer her mentoring and careful editing. He planned to listen to her story ideas and encourage her. He wanted to make the newsroom a healthy place for this young woman. It was an honest conversation, and it was a start.

*Jackie Spinner is editor of Gateway Journalism Review. A version of this story, dated April 14, 2022, first appeared in Publisher's Auxiliary. This column is republished with her permission.*

## SOCIAL MEDIA from Page 9

The size and reach of social media platforms combined with their express purpose of promoting the exchange of ideas arguably transforms these private businesses into the modern-day, digital equivalent of the public square.

The government can only designate its own space as a public forum. Courts have repeatedly held that a private business hosting a forum for speech does not automatically create a public forum. In fact, a California court specifically disagreed with an attempt to classify YouTube as a public forum. The Supreme Court has held that even public access channels required by law to be included on cable systems are not public forums for speech.

### Social media as a public accommodation

**What is a public accommodation?**

A public accommodation pro-

vides services such as lodging, food, entertainment, etc. to the public in general.

**Why use this as a basis for regulating social media?**

The federal Civil Rights Act of 1964 prohibits public accommodations from discriminating on the basis of race, color, religion, sex, or national origin (known as "protected classes").

The Internet is like a public place of business that is used every day. People book lodging, order food and seek out entertainment online just as much as they do in person.

Public accommodation requirements could prevent a social media platform from suspending or banning a speaker based on any of the protected characteristics or allowing discriminatory content in their posts.

**Why the comparison doesn't work**

Courts are split on the issue. But most have held (in cases related to the Americans with Disabilities Act) that laws preventing discrim-

ination in public accommodations only apply to physical businesses, not websites or other online-only businesses.

Even if they were subject to laws applicable to public accommodations, social media sites would still be able to favor certain political views over others, as political belief or party is not a protected class.

**Is there another way?**

Rather than broadly regulating the content of social media, the eventual result most likely resides in targeted efforts to reduce the platforms' near-monopolies and give users more control over the additional options that might become available.

There are already efforts in Congress to use antitrust law to reduce the market power enjoyed by Twitter, Facebook, YouTube, and others. These include the American Innovation and Choice Online Act, That might open the market to additional competition and allow users to choose the social media sites that best suit them.

## TPA Foundation solicits donated items for the Tri-State Press Convention Silent Auction June 24-25

We are reaching out to our membership for big ticket popular auction items such as seats to Titans, Predators, Grizzlies, University of Tennessee, University of Memphis or MTSU athletic events. Tickets to shows at the Orpheum, Nashville Theatre, etc. Rounds of golf, passes to Dollywood, Graceland or other tourist attractions in or near the state would be great. If anyone has a vacation home or condo they would be willing to donate for a few nights that would be an awesome auction item. *Funds generated by items TPA members donate will be given to the TPA Foundation.*

Anyone with items to donate or other suggestions for the silent auction can email TPAF President Victor Parkins at [victor@milanmirrorexchange.com](mailto:victor@milanmirrorexchange.com)

## News nonprofits can fill gaps in local coverage where philanthropy is less likely to play

While we worry that philanthropy for journalism won't find its way into rural news outlets as extensively as it does in metropolitan areas, at least two nonprofit news organizations with statewide missions are showing that they can provide more local reporting.

This week's big news on that front was the announcement by the Texas Tribune that it would station its first news bureaus outside the megastate's major metropolitan areas and far-flung El Paso: in the Panhandle-South Plains, East Texas, the Rio Grande Valley, and the Permian Basin of West Texas, with a regional editor to oversee coverage.

"There's a whole debate right now about the Washington-centric nature of political news in America," Editor-in-Chief Sewell Chan told Nieman Lab. "When everything is refracted through the one powerful capital, what distortions does that produce? I think in Texas, we have a similar challenge on a different scale. If all news is refracted through the perspective



### THE RURAL BLOG

AL CROSS

of Austin's lawmakers, regulators, lobbyists — all of whom have immense power — does that mean that we're not getting the diversity of perspective from the various parts of the state?"

Of course it does, when Austin and the major metros are politically progressive and culturally liberal and the rest of the state is opposite. In our tribalized political era, it will be important for the reporters in places such as Lubbock to become part of the community so they can accurately reflect and represent their coverage region to the Tribune's audience, which is metro-centric but likes to think it has an appreciation for all things Texas. They might take some cues from editor-publishers such Laurie

Ezzell Brown in the Panhandle town of Canadian: she takes progressive stances in The Canadian Record but has the support of conservative readers because they know she respects their views and values.

And they should be careful about viewing too much through a political lens. In his Breaking the News letter on Substack, James Fallows notes a Twitter post from The Washington Post seeking a "reporter to document life in red-state America and develop a new beat mapping the culture, public policies and politics in a region shaped by conservative ideology."

Fallows, who once lived in Texas, questions "the assumption that an assemblage of nearly 30 million people, in the fastest-growing and second-most populous state, can usefully be classified as 'red-state America.' And that for journalistic purposes, the area can be understood as 'a region shaped by conservative ideology.' These views are connected to the larger flattening impulse of thinking that

the real 'news' in most developments is their political impact. That is something many people in journalism and government naturally think, and that most other people do not."

The news from Texas also made me think of another friend, Ken Ward Jr. and his Mountain State Spotlight, which covers West Virginia. I'll bet Ken visited every one of the state's 55 counties when he worked for the Charleston Gazette (now the Gazette-Mail), and he knows where to send reporters for good local stories that have statewide resonance but aren't being done by local papers.

The latest example of that is Douglas Soule's story and photos from Pleasants County, one of the state's smallest, about what the closure of the local coal-fired power plant will mean for the Ohio River county. "It's not just plant employees and their families that would be affected by a closure," Soule writes. "When such an economic engine sputters out, it has a domino effect, and the whole

community loses."

Soule reports a specific example: "Next fiscal year, the Pleasants County school system is projected to collect around \$6.7 million in taxes. Superintendent Michael Wells said if the plant closes, the system could lose \$1.3 million of that tax revenue annually, only some of which could be made up." We don't know if that information has been in the weekly Pleasants County Leader; it's not online.

Statewide nonprofits can't provide regular coverage of local governments and institutions; that's up to local news media. But many of those news outlets are unwilling or unable to provide journalism that provides accountability and context. That's where nonprofits can help from time to time.

*Al Cross's blog is republished here with his permission and was originally written April 15, 2022. He is director and professor for the Institute for Rural Journalism and Community Issues, University of Kentucky, Lexington, Ky.*

## Build a news app to track local real estate development, with and for your readers

### Local Development Tracker Toolkit helps small newsrooms build a tool that serves their communities



### REYNOLDS JOURNALISM INSTITUTE

KATE ABBEY-LAMBERTZ

I started building the Detroit Development Tracker last year with Jimmy McBroom to empower Detroiters to better understand the forces shaping their own neighborhoods. As development activity skyrockets in our city, we believe residents deserve more information about what is being built, and who is building it.

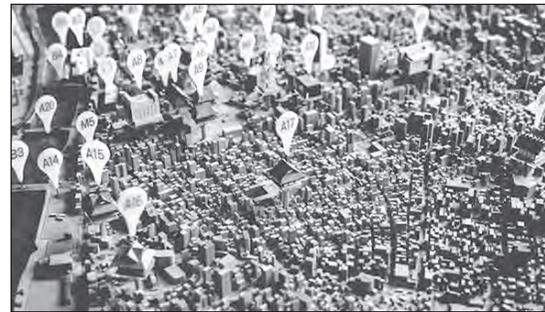
Now, with the launch of the Local Development Tracker Toolkit, we're pleased to share templates and instructions so you can create a similar resource that serves your communities.

Tracking residential and commercial development projects gives residents another layer of understanding about land use and ownership in their neighborhoods. The tracker takes this information out of the domain of developers, funders and officials,

making it more accessible — and actionable — for those most impacted by it.

The toolkit walks you through setting up and customizing a simple news app that can live as a standalone website or as a subdomain on your news site. It auto-populates individual pages for each development project you enter into a database and includes a map and search functions so readers can look up basic details about particular real estate projects, those in a certain geographical area or matching a keyword.

This dataset of projects is manually updated by journalists and significantly bolstered by vetted reader submissions. Setting up a tracker using the toolkit should require relatively limited support on the design and development side, so you can focus on the reporting



Thor Alvis photo, Unsplash, submitted by RJJ

and reader engagement.

### Where we are today

Since the Detroit Development Tracker launched earlier this year, we've received more than 100 submissions from users sharing their knowledge about development activity. Those tips have come from all over the city and included photos, reports of new activity at construction sites and previously unreported projects — an overwhelming indication of our readers' interest in development and appetite for a more comprehensive, accessible way to find and collect this information.

Across the country, small startup newsrooms have sprouted in the last decade to fill similar accountability gaps and strengthen local reporting for underserved communities. Like us, many of those have strong missions

but small budgets. As we built the Detroit Development Tracker, with RJJ's support, but still in a newsroom with too few resources to accomplish everything we'd like, we considered how this model could benefit journalists outside of our region.

After our tracker launched, we got to work turning our tracker into something others could replicate. We made some tradeoffs — we considered building a news app template that could serve a broader range of reporting topics, or included more customization, but decided to prioritize speed and ease of setup, limiting

the tracker's structure. This is no plug-and-play piece of software — there is minimal coding involved — but the toolkit truly is designed for someone to use with very rudimentary coding knowledge (or to affordably hand over to a developer for just a few hours of work). And for newsrooms with the capacity to customize their tracker more extensively or use it as a foundation for another project, the tracker is open source; anyone can see or fork our GitHub repository.

### Building your tracker (or have us build it for you!)

If you'd love to bring a tracker to your newsroom but even the words "fork our GitHub repository" fill you with coding dread, you're not alone (before this project, that was me) and you're in luck, because we have another great opportunity to share!

We're excited to announce that in partnership with the Reynolds Journalism Institute, we are going to build a tracker for a few lucky

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**FREEMAN** from Page 6

money in eight months and moved back to Chattanooga.

"I couldn't pay the bills," Freeman said. "I'd call home on a Monday to get some money, and my dad said he didn't get paid 'til Thursday afternoon.

"What do you do from that Monday to Friday?"

With a taste of college life, Freeman wanted more, so he enrolled at less expensive Chattanooga State Community College. But he struggled with the general education courses in English and algebra.

He left after one 10-week quarter, not even bothering to get his grades.

Freeman didn't mention DeVry or Chattanooga State in his MTSU application. He got grants, loans and a 20-hour-a-week job loading trucks at UPS. When money got tight, Freeman — and many other students — went to see a "Mr. Wren" in financial aid for gap loans of \$500 or more.

"Mr. Wren is our friend," Freeman said, laughing.

Freeman did well in tech classes and struggled with general education, maintaining a 2.0-grade point average through his undergrad years.

And then, senior year, he crossed paths with Professor Richard S. Redditt.

**'Darrell, I AM biased'**

Redditt, an old-school, no-nonsense computer expert with a

PhD., filled in halfway through the semester of the microcomputer interfacing class Freeman was taking. The original professor, a much more lenient and easy teacher, had left unexpectedly.

Redditt started teaching from the point in the materials that he thought students should be by then. But that didn't work.

"Darrell was in the group of everyone who was completely lost when I got there," Redditt said.

So the students asked him to go way back in the material. And Redditt started teaching at breakneck speed to catch the students up.

That proved to be overwhelming for Freeman, who insisted on a meeting with Redditt, his department chair and other faculty members to complain. At that meeting, around a conference table, Freeman accused Redditt of being a racist, a statement he since has retracted.

At the meeting, Redditt said Freeman wasn't doing the work.

"Finally, I said, 'Darrell, I am biased,'" Redditt said.

"I'm biased against any student who takes up my time and lab space, and I tell them what do, and they come back and ask the same questions over and over again and don't study in between."

Freeman continued to struggle for a while, and Redditt continued to make himself available. Then Freeman started studying more, applying more of what he learned and getting better grades in Redditt's class.

After working in the computer

lab until 2 a.m. one night, Freeman said to the lab technician: "I don't know what happened to Redditt. He seems pretty nice to me and is answering my questions."

The lab tech laughed, saying, "Redditt hasn't changed; you have."

The professor eventually successfully advocated for Freeman to get into MTSU grad school. Redditt also hired Freeman as a graduate assistant and eventually advised Freeman on launching his business.

**He generated \$10,000 of business that first year**

When Freeman finished graduate school in 1990, with a 4.0-grade point average, he started working for a small Smyrna computer repair company.

Freeman made between \$12 and \$15 an hour, but the company billed customers between \$1,500 and \$2,000 a day for Freeman's labor.

"That's when I realized I had a skillset valuable to the marketplace," he said.

With credit cards, about \$2,000 in savings and the support of his nurse wife, Freeman launched Advanced Computer Services.

In an office the size of a closet. On Murfreesboro Road.

Freeman picked up a Yellow Pages phone book and started cold calling companies, and getting turned down 99 percent of the time.

Still, he generated some business, about \$10,000 worth in the first year.

Freeman switched the name to Zycron, a name he came up with after a few beers at a local bar. "I wanted it to have a tech sound, so I put in a Z," he said, laughing.

In 25 years, Freeman built Zycron into a company with 300-plus employees that generated about \$40 million a year or more in receipts.

Then Freeman sold it for more than \$23 million in 2017. He has been working hard to give back to the community.

While running his company, he also served as two-term chairman of the Nashville Chamber of Commerce and civic group 100 Black Men.

In the last 10 years, Freeman also has:

- Donated more than \$100,000 to his alma mater MTSU for programs helping first-generation college students;
- Hosted free ladies lunches to advise and guide women entrepreneurs from around the country;
- Invested in and mentored about a dozen young Black entre-

preneurs, including the three Tennessee State University roommates who launched Slim & Husky's Pizza Beeria chain

**A game-changer**

Freeman steered the Slim & Husky's team into acquiring real estate, and he partnered with them to buy the Rollout building on Jefferson Street in North Nashville, just a block or so from the original location.

"Man, as cliché as it sounds, D's support was really everything," said co-owner E.J. Reed, the "Slim" in Slim & Husky's.

"We had some loose mentors and got some advice, but we never had any investors. It felt good to have someone with financial resources step up to the plate and really take a chance for us," Reed said.

"He was a catalyst for Slim and Husky's blowing up like it did."

Co-owner Derrick "Moe" Moore called Freeman's support "game-changing" for first-generation Black college students.

"To have a mentor who's been in their shoes, who doesn't come from money, and then to be where Darrell is?" Moore said. "That delivers the message, they can be something and they can go further than they ever imagined."

**NEWS APP** from Page 11

newsrooms across the country — find more details on the (free) program and apply here, by May 13, 2022.

Jimmy and I will be working with these newsrooms to handle technical setup and support data gathering, reader engagement and launching a tracker. If you'd like our help, you'll need to fill out an application by the May 13 deadline. You should probably also still read the toolkit to make sure a tracker as we've designed it will bring value to your local journalism ecosystem, and is a project you can maintain. (Editor's note, if May 13 has passed by the time you read this, contact Kate Abbey-Lambertz at [kate@detourdetrouer.com](mailto:kate@detourdetrouer.com) for guidance.)

The development tracker is

one approach to real estate and development journalism that you can use to strengthen your service journalism and relationships with readers while filling information gaps. If it sounds like a project that might benefit your newsroom, readers and community, we hope you'll apply or try out the toolkit yourself — and if you do, please, please tell us how it goes.

*Kate Abbey-Lambertz is a member of the Reynolds Journalism Institute Fellows Class of 2021-22. This column was originally published April 25 at [rjionline.org](http://rjionline.org). She is the co-founder and editorial director for Detour Detroit. She will build an open-source development tracker pairing city data with crowd sourced tips that empowers readers to understand and address the forces shaping their own neighborhoods.*

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