

Mark your calendar

- Oct. 15
News Editorial Division Seminar
"Covering School
and Workplace Violence"
Holiday Inn Hurettowne,
Louisville
- Nov. 5
KPA Circulation Seminar
Hampton Inn, Frankfort
- Jan. 21-22
1999 KPA Winter Convention
Galt House East, Louisville

THE KENTUCKY

PRESS

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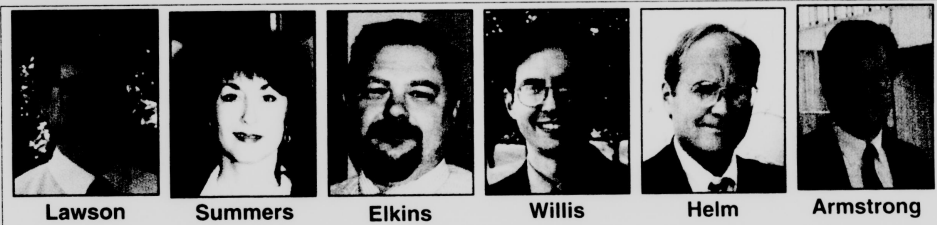
State jobs luring newspaper reporters

By LISA CARNAHAN
KPA News Bureau

(Editor's note: So many people have left newspapers lately that it's caused KPA members to wonder...Is the trend increasing or is it just the natural transition of journalists, to leave the working press to become public relations specialists? One thing holds true for all those departed, however. Newspapers are still in their blood.)

It's more than just "more money." The common goal among most who have left the newspaper business to pursue government communications positions is a better schedule. It's true, more money was often cited, but never as the number one reason people left newspapers.

Since the mid 90s, a number of journalists have left the newspaper industry and joined the ranks of state government. The Kentucky



Lawson

Summers

Elkins

Willis

Helm

Armstrong

Press interviewed six who have recently left and asked them about their career change.

Gil Lawson

Lawson, after 10 years at The Courier-Journal, decided the schedule was too irregular for parenthood. The father of three children, Lawson is now a communications officer for the Cabinet for Health Services.

"I found it increasingly difficult

to manage work and my homelife... and I decided I wanted a job with fairly regular hours," said Lawson. "Everybody knows the hours involved with newspapers. It wasn't that I was being abused or mistreated at the Courier, I wasn't. But it wasn't possible for me at times to pick up the kids, or take care of them when it was needed."

The other factor for Lawson was a fairness consideration for his wife

of 15 years.

"For 14 years of our marriage, she pulled up stakes and followed me around... from Oldham County to Somerset and then to Frankfort," he explained. "Each time, she left a good job, never being able to get tenure in her own job because of mine. So those are really the two reasons... with the overriding one being regular hours."

See STATE, page 6

Turnover hurts credibility

CHARLES L. OVERBY
Freedom Forum News

There's a lot of talk these days about newsroom folks leaving the business and others wanting to leave.

This is not new, but it seems to be getting worse. That's why I was struck by news last month involving two of my newspaper friends. One died. One retired. Both worked at their newspapers for 50 years or more. In the end, their longevity in the business was as notable as their contributions.

The friends:

• Edgar Allen Poe, Washington correspondent for The Times Picayune in New Orleans, and covered every president since Harry Truman. He died at 92.

• Lee Baker, sports editor of the defunct Jackson (Miss.) Daily News and sports writer of the surviving Clarion-Ledger, retired after 50 years. He gave me my first job.

So why are people leaving the news business? The top predictable reason, which has been around for generations: pay. It's better, still not enough. But it probably is not the most decisive factor.

Indiana University journalism professors Cleveland Wilhoit and David Weaver have been studying journalists for two decades and agree that the exodus involves more than pay.

Wilhoit cites journalists' uncertainties about the future

See TURNOVER, page 7

NAA offers grants to help high school newspapers

High school newspapers seem to serve as the cornerstone of newspaper recruitment. After all, surveys show that 65 percent of journalists began their careers out of a passion that developed while working on their school newspaper.

Unfortunately, the ominous fact is that most high school newspapers

are becoming endangered species—especially in schools with high numbers of minority students.

In hopes of saving high school newspapers, the Newspaper Association of America (NAA), in a joint effort with Junior Achievement (JA), is offering NAA's Advance Journalism: Running a

See GRANTS, page 7

INSIDE

People, papers in the news...pg. 2

Loyalty should be ad reps' goal...pg. 4

E-commerce something worth exploring...pg.10

Y2K dilemma holds some good news...pg. 3

Political advertising takes scrutiny...pg. 8

Hoax web sites pose perils for media...pg. 11

Kentucky people, papers in the news

Eblen named managing editor at Herald-Leader

Lexington native Tom Eblen was named managing editor of the Lexington Herald-Leader. He succeeds David Holwerk who resigned to become editor of the Duluth (Minn.) News-Tribune.

Eblen joined the paper's staff in March as assistant managing editor for projects after working 14 years at the Atlanta Journal-Constitution and five years with the Associated Press.

Editor and Vice President Pam Luecke said she considered more than 20 applicants from several states but that Eblen stood out because of his knowledge of Kentucky and achievements locally and at other papers.

In Atlanta, he was deputy business editor, assistant business editor, business reporter and regional/national reporter. Earlier, he was an AP reporter in Nashville, Knoxville and Louisville.

Hutchison hired as ME at Calhoun

Slone Hutchison has been hired as the managing editor of the McLean County News in Calhoun.

A graduate of Murray State University, Hutchison began her newspaper career with the Madisonville Messenger. She was also the Muhlenberg County Bureau reporter for the Owensboro Messenger-Inquirer. While at the Messenger-Inquirer, she also covered McLean County events.

In her new job, Hutchison will be responsible for all editorial content of the newspaper.

Martin promoted at Recorder papers

Neva Martin has been named managing editor for The Recorder Newspapers' seven weekly publications.

Martin, who has served as copy editor, feature editor and columnist during her 14 years at The Recorders, takes over for Steve Olding who was promoted to publisher in early August.

A graduate of Eastern Kentucky University, Martin has won several KPA awards. She and her family live in Independence.

Belo in 1979 as assistant city editor at The Morning News where he also served as business editor, projects editor, deputy managing editor and managing editor.

Jessamine Journal announces staff changes

Four new people have been added to the roster of full-time employees at the Jessamine Journal.

Rebecca Macallister is the paper's new advertising representative. A resident of Nicholasville, she is a graduate of Asbury College where she earned a degree in media communications.

During the 1996 Olympics, Macallister worked as commentary assistant for Atlanta Olympic Broadcasting. She also worked as associate producer for the ESPN-2 Kentucky sports program that was shown last year on cable television in Lexington.

Kathleen Rutledge has joined the staff as a general assignment reporter and photographer. Also a graduate of Asbury College, Rutledge worked as a staff writer and photographer for The Collegian, Asbury's student newspaper.

After graduating, she spent a

See PEOPLE, page 11

Mong named president, GM at Morning News

Former Owensboro Messenger-Inquirer publisher Robert W. Mong Jr., has been named president and general manager of The Dallas Morning News.

Mong most recently served as executive vice president of the A.H. Belo Corp. Publishing Division, the parent company of the Owensboro paper and The Morning News. He was at Owensboro from January 1996 to September 1997. He joined

Florida paper battles odds to publish during hurricane

(AP) — It took three stops, but the daily Key West Citizen finally found a place to publish while Hurricane Georges battered its offices with 105 mph winds.

Renting nine rooms at the Coral Springs Wellesley Inn in Broward County, the 12-member news and production team published an eight-page tabloid on Sept. 25. They printed 5,000 copies and then delivered them free to Keys residents in area shelters and hotels.

The South Florida Newspaper Network offered the use of its presses. All other production equipment was carried up from the Keys.

"Have newspaper, will travel," publisher Bill Barry said. "The only thing we needed was a printer and we got it."

The crew landed 195 miles from home after criss-crossing the state running from Hurricane Georges. An advance team was sent to Homestead in south Miami-Dade County, according to executive editor Bernie Hunt. Then forecasters said the storm could hit there.

So the team was sent to Naples on the Gulf Coast, only to turn around when Georges started moving toward the Gulf of Mexico.

Finally stopping in Broward County, the Key West staffers gathered information from its reporters who stayed in the Keys, reports from The Associated Press and photos posted on the Internet.

"We were not going to let a storm defeat us and we were going to deliver the Key West Citizen as a daily," Hunt said.

The end result was appreciated.

"They were personally handing them out individually to each person," said Jeff Brandt, a Monroe County Fire Rescue paramedic assisting at the Florida International University shelter where hundreds of storm refugees were housed.

"It was very nice. It absolutely lifted up their spirits," he said. "I saw people's faces light up with big smiles and heard people saying, 'Wow! The Key West Citizen!' They were expecting The (Miami) Herald or the (Fort Lauderdale) Sun-Sentinel and then they were handed their hometown paper."

— The Kentucky Press —

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'Y2K' dilemma holds good, bad news for papers

Design is Everything

By Edward F. Henninger



As I write this column, Wall Street is on another roller coaster ride. Yesterday, the Dow dropped 512 points, the second-largest drop in its history.

This afternoon, my wife and I will visit our investment center to put more cash into our IRA accounts. We expect that Wall Street eventually will turn around and do even better than it has during the past few years.

I am bullish on the U.S. economy. I am bullish on the U.S. And that is because I am bullish on you.

And in 1999, I expect to remain bullish because I expect great things from newspapers — especially smaller newspapers — across the country.

For many smaller papers, 1999 will bring bad news — and good news — when it comes to design and presentation.

Here's the bad news (but most of you know this already): you're going to have to spend some cash for new computers. This comes as the result of what is known as the "Y2K problem." Put simply, many older computers and systems will cease to function correctly at the end of 1999 because their built-in software can only read the last two digits of any year. They will, therefore, read "2000" as "00" and will see that as the year "1900." Ooops!

There are many Chicken Littles and doomsayers and pessimists out there who will make bajillions of bucks with their books about Armageddons and meltdowns and bloodbaths and chaos and revolution and calamity and disaster and the end of civilization.

Well, I don't buy all of that. What I do buy is this simple reality: many of us are going to have to finally make that investment in new computers that we've been putting off because we've been able to band-aid and jury-rig the old Compuwhatzit through yet another year.

That's going to cost. For some of us, the cost is going to be considerable — but only if we see it as a cost. If we see it as an investment, then we will understand that the expense is only relative to the strength of

our newspapers. And consider this: when have we been stronger?

So, that's the bad news. What's the good news?

The good news is that many of us are going to redesign in '99. A new computer system — with all its new capabilities — gives us the opportunity to do more with our design. We will be able to offer our readers more visual newspapers, with greater appeal and a more contemporary, more compelling look.

Many of us won't have the choice but to redesign because many new systems, despite all of their capabilities, will often not be able to replicate the look we have now.

That's a negative reason for us to redesign. Here's a positive reason: a redesign convinces our readers and our advertisers that we are growing and improving — that we are working to bring them a newspaper that is better today than it was yesterday...and will be better tomorrow than it was today.

But when we do redesign, let's take care to do it right:

Let's control the impulse to use all of those new bells and whistles.

Let's develop a design plan.

Let's make sure we have the right people, trained and ready to execute a quality redesign. If not, let's get the direction and the help we need.

Let's become comfortable with the understanding that a redesign is more than just a tweak here and a tune-up there — it's the visual embodiment of our newspaper's relationship with our readers.

And let's remember that a quality redesign also is an investment in the future of our newspapers. Why would we want to have all of these new capabilities...and continue to do what we did yesterday?

I'm reminded of a quote I try to live by: "If we keep doing what we've always done...then we'll keep getting what we always got."

A good redesign is a great investment. In our newspapers. In our staffs. In ourselves. And we all know that we are the best asset we've got.

Oh, by the way: at the close of trading today, the Dow was up 288.36 points.

Yep...I am bullish.

(Edward F. Henninger is an independent newspaper consultant and the director of OMNIA Consulting in Rock Hill, S.C. You can reach him at 803-327-3322, fax: 803-327-3323, e-mail: omnia@charlotte.infi.net)

Sessions seek to improve bench-bar-press relationship

By ROBERT SCHULMAN

Are these among your stereotypes?

Judges are high and mighty, legalistic and soft and guided by the rule that a person is guilty until proved influential. As for news people — well, you know, push, arrogant and too quick to air or publish stuff if it helps ratings or profits. And clashes between these two camps make a mess of the trial system.

Fair-minded people see this picture as a tilted view of what motivates most judges, lawyers and journalists. They still hope (maybe with fingers crossed) that most law and news people will do a proper job for the community if only they would get to know each other's ground rules, each other's pressures and irritations.

For five years now, the Kentucky Administrative Office of the Courts, under State Supreme Court Justice Robert Stephens, has been laboring, to a degree unmatched nationally, to develop such an increased understanding.

Time after time, in association with the Center for Humanities and Civic Leadership, a unit of the University of Louisville College of Arts and Sciences, judges, reporters (and sometimes lawyers) have been brought together to explore these disagreements. To see how aggravations that hinder a fair trial or a free press can be eased.

One day in June at Kenlake State Resort Park in Western Kentucky, the latest of these interface sessions brought a lively spotlighting of how unresolved differences can thwart fair trial or full accurate information. At the same time, the presence of the judge in the Michael

Carneal-West Paducah school killings led to a dramatic showing of how some media-judge "distempers" cannot be immediately eased.

But at least Paducah's Circuit Court Judge Jeff Hines and his colleagues and the newspaper and TV reporters on hand got their Carneal trial differences up for examination while finding agreement in other ways.

But there was more. Later happenings in the Carneal matter vividly showed the value of people with differing values getting together.

In attendance were almost all the western (Purchase) judicial region's circuit and district judges. Publishers, editors or reporters with newspapers or TV stations in Paducah, Hopkinsville, Murray and Princeton were there too, together with special projects editor Stan McDonald of The Courier-Journal. Also present were Executive Director David Thompson of the Kentucky Press Association, Kimberly Greene, a First Amendment attorney who represents the Press Association and the C-J, Chief Public Defender Dan Goyette from Jefferson County, and Jim Prichard from the Evansville (Ind.) bureau of the Associated Press.

What had happened the day before in the Paducah county courthouse made it almost inevitable that Judge Hines would be among the first to break the ice at the seminar.

Before the school killing trial had even begun, parents of three of the slain students joined their lawyer for a press conference on the courthouse steps. With mental evaluations of the young defendant in hand, obtained from the defense and not yet even introduced as evi-

dence, the parents' lawyer attacked the validity of the mental evaluations and what were claimed to be the prosecutor's intentions. In the process, an assembled crowd of national and local news people learned from this source that young Carneal would be pleading guilty.

At the Kenlake session next day, an indignant Judge Hines held up front pages from the Paducah Sun and The Courier-Journal. "Judge imposes gag order," said the papers in one form or another.

"I had no objections to the media, including the Cartoon News Network (sic), using the stuff they got in this way," Hines said, to the obvious approval of the news people present, "but what I was doing was taking steps to ban any more violation of fair trial rules."

Why, he asked, should he have been portrayed as imposing a "gag order," with all the negative knee-jerk conclusions this provokes?

"Like a lot of viewers who caught the 'gag-order' on the lead-ins to the TV newscasts and who weren't sophisticated enough to see that I had taken action against rules breaking," Judge Hines lamented, "my own mother-in-law called me and asked why I was withholding evidence from the people. I had to try to show her how a circus had been started on the McCracken County courthouse steps and how I was simply moving to keep it from becoming three rings."

From the assembly journalists Hines got some obvious sympathy but little concurrence. For them, a "gag order" is a gag order, no mat-

See SESSIONS, page 12

AD \$ENSE

Paper makes big profit from small advertisers

The Santa Maria (Calif.) Times (morning, approximately 23,000) is making big bucks from small advertisers with a new program that generated \$10,000 in its first month.

Business Builder targets the small, service-oriented companies that don't usually advertise and offers them 75 percent off if they run the ad every day without any changes. The ads are either one or two-columns by two-inches.

"It's been a great boost," says Tobey Anglin, advertising director. The paper sold 33 in the first month to such varied clients as insurance companies, hairdressers, massage therapists,



appliance/repair stores and Realtors.

Almost all of the ads represent new business, and all the advertisers renewed for the second month. "It's been good for all of us," says Anglin.

The small ads are easy to scatter throughout the paper. Anglin especially likes to group three two-column by two-inch ads across the bottom of the page.

The program is so popular that Anglin thinks he can move the rate a little higher, even as he signs up more advertisers.

(Contact: Tobey Anglin, The Santa Maria Times (805) 739-2226. Reprinted from the June issue of Big Ideas.)

Gimme my newspaper... with everything in it!

I'm going to give 75 cents to the newspaper staff. Divide it up any way you wish.

Now for that 75 cents I am giving you tonight, I want you to deliver tomorrow to my house a newspaper that will contain more reading matter than the current best-selling novel.

I want all the news. And I want every bit of it to be fresh. I want pictures of all local accidents, fires, meetings and events that I'm interested in; and I don't want to see any that offend me, either.

I expect you to tell me who dies, who was born, who was divorced and who was married in the last week, including the last 24 hours.

I want to know what those guys in government are doing with my tax money, I want to understand all of the important events, plans and results, but I don't want to have to waste more than a couple of minutes on your story.

I want to read just as much about the Liberals and New Democrats as the Conservative and the Reform party.

Don't tell me you can't do it. That's what I invested my 75 cents for. The only reason you won't do it is because you don't have any competition.

I want all the supermarket prices, a list of people with used cars for sale, the movie and TV

times and the closing stock market prices.

If I break the law, I don't want you to print my name in the paper, and I have a friend who is in trouble too, so you can leave that out, too.

Another thing, I'm sick and tired of misspelled words in your paper. For 75 cents, you ought to do better.

By the way, I eat promptly at 5 p.m., and my paper better be at my front door before that. Not on the steps, not in the rain, not in the front yard.

When I meet you on the street, I expect you to tell me all the inside dope. I expect you to serve as publicity chairman for every committee in town, too. If I call the paper and ask you how many kids Al Capone had or what round Demsey knocked out Tunny (or was it the other way?) I expect you to know and tell me. Right then.

Next week I'm going to start my own business, and I want a news item about it.

A picture would be even better. Advertising? No, if you run the story and the picture, I won't need any advertising.

But, if you straighten up, I will give you another 75 cents for the day after tomorrow.

(Reprinted from the West Virginia Press Association newsletter.)

Goal should be customer loyalty, not just satisfaction

Ad-libs®

By John Foust
Raleigh, N.C.



A lot of businesses talk about "taking care of customers." But what do the numbers say?

According to Washington-based Technical Assistance Research Programs, Inc. (TARP), 91 percent of a merchant's unhappy customers will never do business there again. What's more disturbing is the finding that typical mistreated customers will tell eight to 16 other people about their negative experiences.

It doesn't take a mathematical genius to realize that a handful of talkative malcontents can hurt a local merchant.

So the challenge is to have satisfied customers, right? Not really, because satisfied customers sink businesses, too.

Loyalty is the key. There's a big difference between customer satisfaction and customer loyalty. For example, let's say you have dinner at a restaurant in your hometown. The meal is delicious, the service is prompt and the atmosphere is enjoyable. If someone were to ask, you would say that you were completely satisfied with your dining

experience. But for some reason or another, it's a long time before you visit that restaurant again. Or perhaps you don't return at all.

Even though you are satisfied, you aren't loyal.

Businesses need loyal customers in order to thrive in today's marketplace. They need customers who will come back again... and again.

C. Britt Beemer, founder of America's Research Group, a consumer behavior research firm in Charleston, South Carolina, charts the decline in customer loyalty in his book "Predatory Marketing." In 1950 the customer loyalty level was 66 percent. By 1970 it had dropped to 33 percent. And in 1996 it was a dismal 12 percent.

These figures indicate that consumers are demanding more and receiving less. Their expectations are not being met. Or exceeded.

What's a loyal customer worth? Beemer calculates that a 30-year-old man who spend \$25,000 on a car can conceivably buy 20 more cars in his lifetime. With inflation, he is a potential \$1 million customer. "If he's treated right," Beemer says, "his wife is likely to be a customer, too. And don't forget the cars he may buy for his children — and their repeat orders."

Translate this line of thinking
See CUSTOMER, page 5

Video workshop can help your staff create better ads



At last... a program that is tailor-made for newspapers! **Basics of Layout and Copy** is getting rave reviews from publishers and ad managers coast-to-coast.

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Flu could take its toll on already understaffed newspapers

Pressing Issues

By Jerry Hilliard and Randy Hines
East Tennessee State University

To many people, October is the month when ghosts and goblins come calling. To others, it signifies the arrival of something even scarier -- flu season.

Recent research has pointed out that nothing works as well as or is as cost-effective as vaccinations when it comes to keeping the flu bug out of newspaper plants and other workplaces. Armed with this new information, employers are taking steps to make sure their employees receive flu shots each year.

"Influenza is not an insignificant disease," warns Dr. Jim Wilson, chair of the family medicine department in East Tennessee State University's Quillen College of Medicine. "Its effects are potentially devastating."

Statistics compiled by the Centers for Disease Control should make everyone pay close attention to Wilson's warning that the annual invasions by ever-changing varieties of influenza are no laughing matter.

The CDC reports that between 10 percent

and 20 percent of the population suffers from flu each season. That many of those cases go far beyond chills and fever is demonstrated in the United States each year can be traced to complications related to flu, such as pneumonia.

For many years, the benefits of annual flu vaccinations for high-risk groups have been widely accepted. The Mayo Clinic considers people to be especially vulnerable to flu if they are 65 or older, live in nursing homes or other extended-care facilities, suffer from chronic disorders such as heart conditions and diabetes, or have weakened immune systems.

Although the value of flu shots for healthy adults previously was a matter of debate, evidence from several recently conducted studies indicates that the potential benefits -- including cost-effectiveness -- easily outweigh the negatives.

Medical professor Lawrence Ellis said in a 1996 issue of the University of Pittsburgh's *University Times*: "There is no reason not to have the flu vaccine. It is 90 percent effective in healthy younger people and 75 to 80 percent effective in older people."

The first study of workplace immunizations to gain widespread attention was described in an article published three years ago in the *New*

England Journal of Medicine.

Healthy adults receiving shots in that study reported 25 percent fewer cases of upper-respiratory illness, 43 percent fewer sick days and 44 percent fewer visits to doctors' offices than others who received placebos. The researchers estimated a saving to the employer of \$46.85 per vaccination.

Dr. Kristin Nichol, who directed the study at the Veterans Affairs Medical Center in Minneapolis, told *USA Today*, "I'm not saying that all healthy working adults should get flu shots, but it's an important consideration, and it would most likely be beneficial in most years."

This April, the *Journal of Occupational and Environmental Medicine* published the findings of one of the largest studies of a workplace flu-shot program. The study involved nearly 4,400 employees of the 3M Company in the Minneapolis-St. Paul area.

The researchers reported significant reductions in the amount of sick leave taken by those who received shots provided by 3M. The greatest reduction in sick time was reported among working mothers.

Also pointed out by the 3M researchers was the convenience to employees of shots being pro-

See TOLL, page 10

There's nothing quite like the 'hometown newspaper'

Hometown Newspaper

It's like a smiling, friendly face;
It's like a voice you long have known.
You see it in some distant place;
And rush to claim it for your own.
The paper from your old hometown
Has bridged the long
and dreary miles,
And with it you can settle down
Among familiar tears and smile.
It speaks of every friend you know,
It tells of scenes you yearn to see;
It brings back joys of long ago
And tells of joys that are to be.
And as you run its columns o'er

Your yesterdays come trooping back,
You fancy you're at home once more;
And golden seem the letters black.
Its speech is one you understand,
It tells of grief that you can share;
It brings you, in that distant land,
Glad messages to banish care.
There, among scenes
and faces strange,
The old-hometown paper seems to be
The faithful friend that
doesn't change,
A friend that you are glad to see.
(Reprinted from *Kansas Press*
This Week)

Customer

Continued from page 4

to newspaper advertising, and you're dealing with equally impressive numbers.

Newspapers which have the smug "they can't live without us" viewpoint are living in the past. Today's advertisers have more choices than ever before. And they will be loyal only to those advertising vehicles which meet -- or better yet, exceed -- their expectations.

What do advertisers expect? To put it simply, they expect their ads to work. And they expect to be treated like an important account. This means they're likely to advertise elsewhere if the newspaper

doesn't make their cash register ring. And they're treated like a small advertiser, they'll find someone who appreciates them.

It all comes down to service, service, service. Loyalty isn't written into an advertising contract. It's in the mind. If your advertisers are unhappy or merely "satisfied," you're in trouble. It's your job to make your newspaper an indispensable part of each advertiser's business.

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(John Foust conducts advertising training for newspapers. His ad workshop video "Basics for Layout and Copy" is being used by newspapers from coast-to-coast. For information, call or write: John Foust, PO Box 10861, Raleigh, N.C. 27605; phone (919) 834-2056.)

The KPA News Bureau is here for you.
Take advantage of having a reporter
for assignments in Frankfort.



Call News Bureau Director Lisa Carnahan
1-800-264-5721

State

Continued from page 1

Lawson wore many hats while at the C-J, staffing a regional bureau in Somerset for two years then moving to the state capitol bureau in 1989 where he covered state government and then health and welfare. In his last year at the paper he covered education.

At the Cabinet, Lawson interacts with the media on a regular basis. He researches and answers Health Services' questions posed by the media as well as other government agencies. He also helps prepare speeches and news releases concerning the Cabinet.

"It's been a good move for me," says Lawson. "The hours are regular, with a few exceptions that I find manageable, and the work is challenging. It's not the same old thing...there's always something different going on which is one of the things I loved about the newspaper business."

Lawson feels his newspaper background is a definite plus.

"It's helpful having newspaper experience. I can definitely see the need for people like me in government. We can answer the questions of 'does this sound reasonable, and how will it look in the press?' And also, you learn the basics of good writing. I worked for the AP before the Courier and the AP teaches you to write succinctly. It gets rid of a lot of garbage in your writing...and we all know there's a lot of bureaucratize in government. I think this (concise writing) helps government officials explain things to people so they can understand."

Lisa Summers

Summers, a former government reporter for The State Journal in Frankfort, is now in the Secretary of State's Office handling media relations. John Y. Brown III, her boss, called her two years ago and asked her to come to work for him. The two became acquainted through Brown's wife, a former classmate of Summers at the University of Kentucky.

"He (Brown) just called me at work one day," said Summers. "He was needing someone to do press releases and handle media contacts...and he wanted someone he could trust, that he felt he knew. I wasn't actively looking for another job, it just happened."

But it was an offer she couldn't refuse — more money and a better schedule. And as the mother of two small children, Summers didn't have to consider the job offer very long before she accepted.

"Everyone knows newspapers are all consuming...and although The State Journal is better than most, it's still very draining if you do your job well," she said. "There's a lot of hours involved and also a lot of nights. I found this job very appealing and it was also a big increase in pay."

Summers said she was at a piv-

otal point in her career when the state offer came. She had been at The State Journal for five years and spent three years before that at her hometown paper, The Woodford Sun.

"I knew the time had come for me to either move on to another paper, or make a career switch," she said. "I loved The State Journal, and still have dear friends there. It wasn't that I was unhappy, I loved working with the people there. But career wise, this has been a good move. I don't write as much as I did before...and I miss that. But I've gotten into the design of our web page and have really enjoyed that."

H.B. Elkins

Elkins is an administrative specialist for the state Revenue Cabinet. He left the Citizen Voice & Times in Irvine in 1995 for the state job and although he says he doesn't regret the move, concedes newspapers are still in his blood.

He's also a staff writer for the cabinet's publications, a technical journal for tax professionals, "Kentucky Tax Alert," and the employee newsletter, "Revenue Assets." In addition, he holds down the job as web master, a task that has become his favorite.

"My wife calls me a computer geek. I'm just really into computer technology and I've immersed myself in this web project," said Elkins, who believes his Internet work has made him more marketable. "That's what I'm most excited about in this job. I've learned something I didn't know before and I've explored something totally different since I left newspapers."

Elkins attributes his leaving newspapers to "burnout."

"I was just getting really burned out. I had done the newspaper thing for 11 or 12 years and needed a change," he said. "But at the same time, it's in my blood. I love it."

Community newspapers are Elkins' true love. He started his career at the Beattyville Enterprise and Jackson Sun after receiving his master's degree in communications from Morehead State University.

"That's the part I love, community newspapers. But it's a sad fact that the money's just not there. It's nobody's fault really, but you can't blame people for leaving, either. They can get better pay, better benefits and a better work schedule plus no more late night city council meetings."

Although Elkins has left the world of newspapers behind, it's still a part of his homelife. His wife Melissa is the senior staff writer at The Winchester Sun. She also started her career at the Beattyville Enterprise and then later went to work for Irvine's sister paper, The Clay City Times.

Cary Willis

Willis, communications director for the Cabinet for Families and Children, had different reasons for leaving The Courier-Journal in 1996.

He'd spent nearly 12 years at the C-J, his fourth newspaper, and was fulfilling a childhood dream by working at the state's largest paper.

"I was the kid always making the neighborhood newspaper...and doing the imaginary D.J. thing," said Willis.

He grew up in Louisville and wanted to be a part of public service-oriented groups, like his neighborhood association's efforts to rebuild Old Louisville.

"As a reporter, I had to remain objective, though reporters have feelings just like everyone else," said Willis. "I was prohibited from expressing these feelings, but yet you are involved to a degree. You're greatly limited because of that potential for conflict of interest. Now I don't have those limitations."

At the cabinet, Willis thrives on his new role as an advocate for families and children and as a mover and shaker.

"I'm doing something here. I'm making decisions... important ones — like the role of the cabinet in the reform of welfare and child protection," he said.

Just before joining the Courier, Willis was managing editor of a suburban paper in Jefferson County, The Weekly Neighbor, a 5,000 paid weekly. He also worked as a reporter at the Henderson Gleaner and the Middlesboro Daily News.

Unlike his communications counterparts, Willis' schedule is worse now than at least his last years at the Courier as a human services reporter.

"Anybody who thinks you come to Frankfort to have it easy, might be surprised. But my hours are more regular. I'm not as likely to have those 1 a.m. nights and weekends," he said.

One of Willis' primary concerns or gripes now that he's left the media is what he calls the public's oversimplification of the cabinet's duties and reporters' habit of placing blame too quickly.

He said the all-too-often-scenario sees accounts of a child being abused with the reporter's first question being, "How did you all screw this one up?"

"It's frustrating for me to see state workers portrayed in this broad swipe...that they're all lazy and stupid, but that seems to be a reoccurring theme in the media," said Willis. "When in reality, they are hardworking, dedicated people or lay in bed at night and worry about whether they've done the right thing."

"What I found in covering a beat is that these are real life people, who, by far for the most part, really care about protecting children," he said. "You're talking about 6,000 employees...obviously not everyone works hard and there are flaws. But the editorials, the editorial cartoons and the general negativism expressed about Frankfort...I've been battling that since I got here — and I guess I'll always be."

Willis doesn't regret his career

switch. In fact, he thinks everyone should have some diversity in their work history.

"I think it makes life more fulfilling," he said.

Hunt Helm

Probably the most noted reporter-turned-communications type is Hunt Helm, a former city editor and reporter for The Courier-Journal.

Helm joined the state Department of Education in May as associate commissioner under Dr. Wilmer S. Cody who personally recruited him.

After taking a few months unpaid leave from the paper to teach two journalism courses at Indiana University, his alma mater, Helm planned to return to the C-J at the end of the semester. But in April, Cody called him about the associate commissioner's job and asked him if they could talk.

"Of course I said 'yes,' you always at least talk," said Helm.

During the interview process Helm became impressed with not only Cody but others in the department.

"He (Cody) basically recruited me. The commissioner and others in the department sold me on the job," he said. "I was impressed by them and their obvious dedication to what they do...educating kids and helping teachers."

In his new job, Helm is charged with improving the communication between the Education Department and all its constituent groups.

"Cody wanted to get the word out more effectively about what the department was doing," said Helm. "An example is the new testing system, which is obviously very important. Nothing anybody does in public education is ever going to meet with unanimous approval, it's too big. But if it's an open process, a collaborative, consensus building process, where the public knows it has an opportunity to participate, then reasonable people will understand and accept — whether they agree or not."

Helm heads a three-person communications staff that includes Jim Parks, the department's press secretary; Armando Arrastia, director of public information; and Tacy Groves, media services.

With all the changes made in the field of education during the 1998 General Assembly, Helm found it an appealing and challenging time to be involved in education in Kentucky.

"In this whole process of public education there's a lot of stress, a lot of debate, but what results is sounder policy. It's really a very interesting and exciting time to be involved in it," he said.

With the exception of a six-month stint at the Nashville Banner, Helm spent his entire 21-year career at The Courier-Journal.

"I learned to read, basically, reading that paper," he said.

Helm doesn't see his new job as a

See STATE, page 7

Turnover

Continued from page 1

and dissatisfaction with emerging values, particularly the stronger emphasis on profitability.

"There also is a growing perception by reporters that they don't have the kind of clout they used to have in journalism, that they don't have as much professional control of their work as they would like," Wilhoit said.

Reid McCluggage, publisher of The Day in New London, Conn., and president of the Associated Press Managing Editor, is not sure turnover is as serious as some people say. A survey by the Newspaper Association of America pegged the annual turnover rate for newspapers at 13%. McCluggage said the average stay at his newspaper is 12-13 years. "We try to do many things, including the things that allow people to learn and advance without having to move," he said.

But the most recent survey of journalism graduates is not encouraging.

Dr. Lee B. Becker, director of the Cox Center for International

"Experienced journalists leave. Less experienced journalists take their place. The demand for bodies is filled. But the need for reporters and editors with knowledge of the community suffers."

Charles L. Overby
chairman and CEO, The Freedom Forum

Mass Communication at the University of Georgia, released his findings last month for 1997 graduates. Among them:

- Four in 10 graduates say their jobs fail to meet their expectations. That's 40% who are discontented in their first job.

- Only one in four want to remain with their employer permanently. That trend exists in other professions, but it indicates that 75% of last year's journalism graduates expect to be looking for another job.

- Worst of all, only three in 10 want to remain in journalism and mass communication occupations permanently.

The last finding shows how hard it will be to reverse the trend of news staffers leaving the business. Seventy percent start with the idea that the news business will be a temporary job.

At a forum a couple of years ago

at our offices in Arlington, VA, a veteran journalist cited various problems in the business that would cause people to leave. A young graduate from the University of Alabama smiled and said, "Well, that just leaves more jobs for us."

That's the cycle and the problem.

Experienced journalists leave. Less experienced journalists take their place. The demand for bodies is filled. But the need for reporters and editors with knowledge of the community suffers.

At a forum on fairness earlier this year, a participant said, "When I leave here, I'll have to teach my third reporter in three years about the budget process."

The mounting problem of newsroom turnover needs more long-range attention from news executives. Solutions are crucial to the news media's most important asset: credibility.

Grants

Continued from page 1

High School Newspaper and Startup Grant.

Advance Journalism is a year-long program aimed at reviving and improving high school newspapers by providing a \$3,000 grant to each school.

Newspapers play a vital role in Advance Journalism: they select a high school to participate in the program, identify a liaison to facilitate the program with the school and JA office, and provide volunteers to advise the students on various aspects of the newspaper industry.

Both the newspapers and high schools can benefit from the program. Newspapers foster a better image with the community, develop future employees and cultivate partnerships with local high schools. High school students receive valuable training from newspaper professionals, learn about a wide range of career opportunities, and may find mentors in the helping professionals.

For more information contact NAA at (703) 902-1725.

State

Continued from page 6

major change, in terms of skills used.

"There's really a lot of similarities," he said. "As a reporter, I took in lots of information and tried to make sense of it for myself and others. I do the same thing now. I don't miss the byline, really, but I do miss the people. You can't work with people for 20 years, go to lunch with them everyday and not miss them."

The last five years at the C-J, Helm was assigned to special projects. As a projects reporter, the change in schedule for Helm at his new job wasn't a big issue.

"It's hard work (projects) don't get me wrong," he said. "But you can determine your own schedule. It's not like you've got to run to your car when you hear a crackhead has knocked over a filling station."

Helm admits to once being part of the media problem Willis is battling.

"When I was a reporter, I guess I might have thought that state workers had an entitlement mentality...didn't work a lot of long hours and probably didn't care very much about what they were doing," he said. "But I could not have been more wrong — to the point I am almost ashamed of myself for ever thinking like that. The people in the Department of Education care about what they do and work very hard at it and it's obvious they have a personal dedication to kids."

Helm remains an avid believer in the importance of the newspaper profession.

"I'll never forget the value of it," he said. "People love to bash the

media, give reporters a hard time. But if you've been a reporter, you bring with you an understanding and can convey the value of the news media."

Bryan Armstrong

Armstrong worked at various newspapers including the Kansas City Star, Cincinnati Post and Kentucky Post for over 15 years. He grew up in Bowling Green and graduated from Western Kentucky University.

In 1995, he joined the Workforce Development Cabinet as director of communications. Then last September, he became communications director for the Kentucky Community and Technical College System (KCTCS), the new system formed by the state legislature which includes Kentucky's 15 technical colleges and 13 community colleges. In his new role, he's responsible for the system's relationship with the state news media.

Armstrong's last stint as a reporter was his most enjoyable. He was a political writer and statehouse reporter for the Kentucky Post.

"I could have stayed doing that and been happy for a long time," said Armstrong. "But I saw my kids getting older...They are both active in the public schools in Franklin County, in dance, music... and I try and make all of the events."

At this same time, Armstrong said changes at the Post prompted him to consider a move.

"The Post was experiencing some changes and I saw a lot of the leadership leaving during the transition," he said. "Before we had been fairly separate and now it was becoming one with the Cincinnati

Post, a merged newspaper. I have no problem with that or any of the people, I just wasn't sure about the different structure and it made it easier for me to leave."

Armstrong made contacts in state government by covering both gubernatorial campaigns in '95.

"They were interested in me and I was interested in them," he said. "So, I took a real leap...into state government. And believe me, it was a leap of faith because I had never done public relations work before."

Armstrong quickly made the adjustment, drawing on his years of reporting experience. The writing and communicating with people came natural.

"The work itself I was prepared for. But switching from 45 employees to 4,000, that was a big change," he said. "And there's a big difference between private industry, the newspaper business, where change is fast. An editor says it, and it happens, and state government which is slow to change."

Armstrong believes reporters are uniquely qualified for PR jobs.

"People can come into public relations or the communications business from different avenues — from advertising or marketing backgrounds or with a college PR degree. But I believe there's a definite advantage to have someone work with media relations who understands the media," he said. "The newspaper business is the best training ground for the type of work I'm doing now."

Part of what drew Armstrong to state government is also one of the things he misses about newspapers.

"I had a lot of freedom (at the

newspaper) and you never really knew where the day would take you," he said. "I work hard in this, but it's more predictable. When news happens you go. I always have plenty to do here but at the end of the day, you usually can either set it aside or take it home with you."

"The newspaper business is a noble calling," said Armstrong. "And I think the vast majority of people in the news business do it with the best of intentions and they try and do a good job. But the pressure is tremendous and there's a lot of stress involved. And it's a fact — it will chew you up and spit you out."

Other journalists who've left for state or local government communications jobs:

- Kim Brannock - Bourbon Times; Cabinet for Health Services, communications office
- Janet Hoover - Bowling Green Daily News; Workforce Development Cabinet
- Bob McDonald - former owner/co-publisher, LaRue County Herald News, general manager, Harlan Daily Enterprise; Governor's communications office
- Ewell Balltrip - former publisher, Harlan Daily Enterprise, Middlesboro Daily News; executive director, Kentucky Appalachian Commission
- Duanne Puckett - former editor Shelbyville Sentinel-News; Shelby County Schools, public relations coordinator
- Jeff Phillips - former editor Harlan Daily Enterprise, Harlan County Schools, public relations coordinator.

LEGAL NEWS & VIEWS

Political advertising must be carefully scrutinized

By **KIM GREENE**
KPA General Counsel
Dinsmore & Shohl



As we head into the Fall elections and the onslaught of campaign ads, maybe a reminder is in order. What do you need to look for as you review political ads and endorsement letters to the editor prior to publication? What things in those letters and ads should raise flags for you? With negative ads pouring in and candidates slinging accusations at each other, a newspaper can't be too careful.

A newspaper which publishes a letter to the editor or ad can be held legally responsible for any defamatory content even though the newspaper played no role in writing the content. Therefore you must review every letter or ad submitted carefully. Apply the same sort of scrutiny that you would apply to any news article written by your staff.

A candidate for public office who takes issue with the content of his or her opponent's ad and sues the newspaper is very likely to be consid-

ered a public figure by the courts. That is particularly true for candidates who are incumbents running for re-election. That, however, does not provide the newspaper with absolute immunity against the candidate's lawsuit. A public figure or public official can be defamed. The extra protection which the First Amendment to the United States Constitution provides your newspaper for political commentary such as ads and letters to the editor requires the candidate to prove "actual malice" before the court can hold you liable. That means that the candidate must prove that the newspaper knew or should have known that the defamatory content was false and published the statement anyway.

This higher standard of proof for liability is certainly helpful for defending defamation claims brought by candidates. If the newspaper wishes not only to win a defamation suit, but also to avoid one, then the newspaper would be wise to consider the "actual malice" standard a tool for the newspaper's lawyer rather than an excuse not to review the ad or letter carefully. When determining whether to publish a political ad or political letter to the editor, the wise newspaper looks carefully at the content. What

does the ad say about the opponent? Or, family member of the opponent? If this statement is defamatory do you consult the letter writer or candidate placing the ad about modifying the content or are there circumstances which justify or dictate that you include the defamatory content? For example, you would consider — among many other things — whether you know the defamatory statement to be true or the subject of substantial on-going public debate. All of the information would inform your ultimate decision whether to publish.

In the case of a letter to the editor you might also consider who the letter writer is. Does that person bear some particular grudge against the candidate she opposes? Is there any other reason to wonder whether the defamatory statement might be exaggerated, misperceived or a deliberate untruth?

With regard to political advertising, the Kentucky General Assembly has a few things to say. There are statutes concerning rates you can charge for political ads, records you must keep concerning political ads you publish, and identi-

See **POLITICAL**, page 9

Newspaper held liable for photograph mixup

The Arkansas Supreme Court upheld a jury's award to an attorney who sued the Arkansas Democrat-Gazette based on the newspaper's publication of an article and photograph that incorrectly identified him as a defendant in a federal investigation.

In June 1984, the newspaper printed an article on the front page of its "Arkansas" section entitled "Whitewater Counsel Kicks Off First Prosecution." One of the photographs included in the article was an attorney with the caption "Fitzhugh" beneath it.

The problem, however, was that the wrong photograph was published in the newspaper. Instead of a photograph of Eugene Fitzhugh, an actual co-defendant in the Whitewater investigation brought by a federal special prosecutor, a photograph of J. Michael Fitzhugh, who was unconnected to the case, was incorrectly run.

The article itself included various passages relating to the allegations of wrongdoing brought by the special prosecutor. The article for example, noted that Fitzhugh was accused of misrepresentation and other financial misdeeds. The newspaper printed a correction the following day after being alerted of the error by J. Michael Fitzhugh.

J. Michael Fitzhugh filed a complaint in state court against the newspaper, alleging that the

juxtaposition of his photograph against the headline and article was defamatory per se and was the result of the newspaper's gross carelessness. The case went to trial, and the jury agreed and awarded him \$50,000. On appeal, the Supreme Court upheld the jury's finding that the article constituted a false statement about J. Michael Fitzhugh.

For example, the evidence was clear that J. Michael Fitzhugh photograph was placed above Eugene Fitzhugh's name and that the subject of the article was referred to as "Fitzhugh" seven different times. Several witnesses testified that they believed the article was about J. Michael Fitzhugh due to the inclusion of his photograph in the article. These facts, according to the supreme court, provided the jury with sufficient evidence to find that Eugene Fitzhugh was charged with a crime in the Whitewater scandal.

As for the award of \$50,000 in damages, the Supreme Court similarly ruled in J. Michael Fitzhugh's favor, finding that there was sufficient proof to sustain the jury's conclusion that his reputation had been damaged. The Court rejected the newspaper's argument that J. Michael Fitzhugh was a public figure. The Court found that he was a private individual who only had to prove negligence rather than actual malice.

Media 'ride-alongs' create liability

NAA has joined an amicus brief filed July 27 by various media organizations supporting CNN's petition asking the U.S. Supreme Court to review a federal appellate court decision in *Berger v. Hanlon*.

The case arose from a search of plaintiff's ranch by federal agents, during which CNN reporters accompanied the agents with cameras and microphones. Based on this search, plaintiffs sued both the agents and CNN, claiming, among other causes of action, that the search violated their Fourth Amendment rights to be free from unreasonable searches and seizures. The Ninth Circuit Court of Appeals, reversing the district court's decision, held that the federal agents were not entitled to qualified immunity and determined that the media acted jointly with the government, thereby allowing the case to proceed.

The appellate court, relying upon a letter of agreement between CNN and the government that permitted the "ride along," as well as the audio-taping and videotaping of the search, found the search to have been jointly planned by the government and media for entertainment, rather than law-enforcement, purposes. The court concluded that CNN's "joint action" with the federal agents rendered it a government actor for purposes of this suit. The court also distinguished this case from previous federal decisions where the media passively observed and recorded or photographed law-enforcement activity, finding that CNN was an active participant in the search.

For further information, contact Rene Milam, (703) 902-1815, milar@naa.org.

Got legal questions
about a story or ad?
Call the KPA
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(502) 540-2350



Former reporter pleads guilty to stealing voice mail messages

A journalist who pleaded guilty to illegally intercepting voice mail from the Chiquita banana company won't face more charges if he continues to cooperate, prosecutors said.

Michael Gallagher was the lead reporter of a series of stories published by The Cincinnati Enquirer in May that questioned the business practices of Chiquita Brands International Inc.

Gallagher, 40, pleaded guilty Sept. 24 to unlawful interception of communications and unauthorized access to computer systems. He faces up to two and a half years in prison and a \$7,500 fine at sentencing March 19.

"Mr. Gallagher has been cooperative and continues to cooperate with the special prosecutor's office," said prosecutor Perry Ancona, adding that Gallagher will face no additional charges as long as he continues to help.

Gallagher had no comment in court or as he left.

His stories portrayed Chiquita

as a company that used force, deception and bribery in Latin America.

The Enquirer later renounced the series of articles, apologized to Chiquita on the front page and paid the Cincinnati-based company more than \$10 million. The newspaper, which is owned by Gannett Co. Inc., fired Gallagher on June 26 on the suspicion that he stole voice mail for the series.

A grand jury is investigating the alleged theft of electronic communications and other proprietary material from Chiquita. A former Chiquita lawyer in Honduras was recently indicted in the case and pleaded innocent.

Chiquita sued Gallagher on July 3, accusing him of defamation and stealing thousands of messages with the help of three current or former Chiquita employees.

Chiquita spokesman Joseph Hagin said Gallagher's plea was "an important milestone for all citizens and organizations who are concerned about the privacy of their personal communications."

'Dateline NBC' loses lawsuit

(AP) — "Dateline NBC" defamed a trucker and a trucking company in a story about safety violations and must pay \$525,000 in damages, a jury ruled.

Trucker Peter Kennedy and owners of Classic Carriers, Raymond and Kelly Veilleux, accused NBC correspondent Fred Francis and free-lance producer Alan Handel of misleading them into thinking they were participating in a positive story on the trucking industry.

Instead, they said, they were defamed by the two-part series, "Keep on Truckin'," which depicted safety violations during a cross-country trip.

Jurors agreed, finding the network and the show had committed negligence, misrepresentation and emotional distress.

It awarded \$300,000 to Vielleux, \$50,000 to his wife and \$175,000 to Kennedy.

NBC insisted the only promise it made was to accurately report on a cross-country trip that a film crew made with Kennedy. NBC also said Kennedy admitted falsifying his log during the trip so he could drive more consecutive hours than legally allowed.

"We're not asking you to accord us any special rights, but we are asking that we be protected when we report the truth," Bernard Kubetz, a lawyer representing the network, told jurors in closing arguments Tuesday.

But plaintiffs' attorney Bill Robitzek, in his closing argument,

said, "The press has no special protection under the laws of the United States."

"They are not immune. They're not exempt. If they do something wrong, they can be brought here and held accountable," Robitzek said.

Jurors deliberated 4 1/2 hours, then returned for another 5 hours of deliberations before returning their verdict.

The 1995 "Dateline" program stemmed from an accident in which a rig driven by a trucker who falsified his logbook veered into the breakdown lane of the Maine Turnpike and killed four teenagers parked in a car.

"Dateline NBC" followed up by traveling with Kennedy, who had nothing to do with the fatal accident. It reported that Kennedy called his logbook a "joke book" and drove from Chicago to Boston without stopping to sleep.

On the witness stand, Kennedy admitted he had been up nearly 40 hours by the time he reached Massachusetts, but he said it was legal because truckers can drive a maximum of 70 hours in eight days. He also admitted — sobbing as he did so — that he had tested positive for marijuana during a random drug test.

Daphne Izer, one of the founders of Parents Against Tired Truckers, said she hoped the ruling did not deter future stories. "We need that awareness. The public needs to know what's going on out there, and that's what Peter Kennedy was all about," she said after the verdict.

Reporter, newspaper held in contempt for running terms of sealed agreement

The U.S. District Court for the Eastern District of North Carolina held a newspaper and a reporter in civil contempt, ordering them to pay \$500,000 to an oil company.

The controversy arose when the newspaper printed information contained in a settlement agreement, including the settlement amount, between the oil company and numerous residents of a mobile home park. The agreement had been sealed by the court.

The newspaper had already obtained the settlement amount from two confidential sources, but the article indicated that the settlement amount had been confirmed by the agreement filed with the court. The court found that the confirmation of the amount from court documents added credibility to the story and would increase the litigation and settlement costs of the oil company which was subsequently defending more than 50 similar lawsuits. These increased costs were the basis of the \$500,000 award.

The court made numerous factual findings in order to determine whether the reporter and the newspaper were in contempt. For instance, the court found that the confidentiality of the settlement agreement was an integral part of the agreement and no agreement

would have been reached without it.

To protect this confidentiality the settlement agreement was placed in a sealed envelope which was clearly labeled as confidential, filed under seal and to be opened only by the court. The reporter was in full knowledge of the confidentiality of the document and was fully aware of the fact that she had broken into sealed and confidential court documents.

To cite an instance, in response to the reporter's request to see the documents in the lawsuit, the court clerk carried several documents to the counter, removed the settlement agreement and stated clearly to the reporter that the document was sealed by the court and inaccessible to her.

Based upon these findings, the court held the reporter and the newspaper in contempt, reasoning that they had knowledge that their behavior violated the order sealing the Settlement Agreement. In so ruling, the Court emphasized that its decision in no way impeded the First Amendment freedom of the press because it did not restrict speech, but rather restricted actions which violated a valid court order.

(Reprinted from First Amendment Comment. Ashcraft v. Conoco, Inc.)

Political

Continued from page 8

fication of advertisers for political ads. There is serious questions whether these statutes violate the First Amendment free speech rights; however, there has been no court decree in Kentucky specifically finding the statutes unconstitutional.

Since these statutes are still on the books, newspapers need to be aware of them and comply with them, unless you decide you want to be the one who challenges the constitutionality!

KRS 121.065 requires that a "publisher of newspapers, magazines, handbills, or other printed matter" and an "owner or lessor of billboards, radio or television station or network" shall not charge fees for political advertising in excess of the lowest rate charged to other advertisers at the time the political ad is purchased.

Another statute, KRS 121.190, requires that every political adver-

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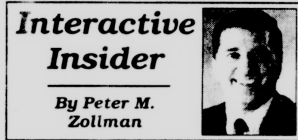
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tisement which advocates the election or defeat of a clearly identified candidate, slate or candidates or group of candidates for any public office must contain the words "paid for by" must be followed by the name of the candidate, slate of candidates or campaign committee, whichever is applicable.

That same statute also requires newspapers and magazines to keep a record for one year of political advertisements published.

If this column raises any questions, feel free to call your Hotline lawyers.

E-commerce: Learn all you can now



Does your paper sell mugs, hats, umbrellas or any other branded premiums?

Have you ever had a major news story break in your community - one that people might save?

Do any companies in your area sell something unique - fancy, or especially inexpensive, or hard-to-find?

If so, you have the beginnings of an electronic commerce business.

First of all, of course, your newspaper has to have an online service.

If you haven't started one yet, today's column is something to consider for the future.

But if you're already online and you're figuring out "What next?" you should be developing electronic commerce - to help your newspaper and your advertisers.

Don't be intimidated by the technology. If you can't do it yourself, outsource it or buy it off the shelf. Don't worry about designing the Web site, or about secure

servers, or even about how much to charge.

There are companies that will handle all of that for you, if you're so inclined. And they'll even do it without charge, just for a "piece of the action" of any sales.

(Should you outsource? If you're an e-commerce beginner, it's certainly easiest. For the long term, however, you're much better off as master of your own destiny. And you may prefer to charge for your Internet services — just as you do in your traditional advertising model — rather than taking a commission-only deal.)

Back to the three items we discussed above, plus one more:

• **Newspaper brand items:** If you have a small newspaper store where you offer branded hats, books and other goodies, offer them on your Web site too. It's a great way to learn about e-commerce, sell a few more trinkets to sit on customers' desks near and far, and pick up some extra nickels or dollars online.

• **Laminated front pages:** When there's a major news story in your community — the football team wins a championship, a new zoo opens, Tiger Woods wins the Masters — get your front page

See E-COMMERCE, page 12

Toll

Continued from page 5

vided at the workplace through arrangements made with the St. Paul Public Health Department. They estimated that each worker saved two hours of time by not having to go to a primary-care provider for the immunization.

Long-held beliefs that flu shots actually caused flu have been refuted by studies conducted at the Mayo Clinic and elsewhere.

The only real drawback to flu shots is that they should not be administered to individuals who are allergic to eggs. "To them, this can be very dangerous," Dr. Wilson said.

But for most people, the only drawback is brief discomfort at the point of injection. This is a small price to pay to avoid the days of suffering — or worse — that can result from flu.

Annual revaccinations are needed because the vaccine is constantly being updated to combat various strains of flu, which change every year.

The CDC's Influenza Branch, responsible for nationwide surveillance during each flu season, issues reports from mid-October through mid-May.

Last winter, mortality levels for pneumonia and influenza hit their peak early in January and stayed at what was considered epidemic levels until the middle of March.

According to the CDC, the best time to conduct annual immunization programs is during the month of October or the first half of November.

However, it's apparently never too late in the season to derive some benefits from shots.

"Some prescribed medications are available that can ease the symptoms once a person has been exposed, but the only way to prevent influenza is the vaccine," Dr. Wilson explained. "If employers want to reduce absenteeism, a program of immunization certainly would be a good thing to think about."

Newspapers that want to provide vaccinations for their staffs are advised to contact local health-care providers, who can obtain the vaccine and help arrange for shots to be administered.

(Comments? We would enjoy hearing from you. Our mailing address is ETSU Box 70667, Johnson City, TN 37614-0667. E-mail should be sent to hilliarj@access.etsu.edu. We also can be reached by fax at (423) 439-4308 or by phone at (423) 439-4167.)

Remember when...

- You thought "modem" was what you did to lawns?
 - You thought "the Internet" was a basketball league?
 - You thought "RAM" and "ROM" were twin Greek gods?
 - You thought "satellite feed" was a farm product?
 - You thought "Lotus 1-2-3" was a line dance?
 - You thought a "V-Chip" was snack food?
 - You thought "hard drive crash" was a car accident?
 - You thought "super VGA" was a comic book hero?
 - You thought "mouse pad" was where a rodent lived?
 - You thought "DOS prompt" was a German expression?
- (Reprinted from the August issue of the Iowa Newspaper Association newsletter.)

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People

Continued from page 2

year as a Christian missionary in Tanzania and also taught secondary school in Tabora. Rutledge will cover Wilmore news for the paper as well as assist with sports coverage and general assignments.

Kara Shewmaker is the paper's new circulation manager and will also assist in classified advertising and administration duties. A native of Nicholasville, Shewmaker has taken courses at Central Kentucky Vo-Tech and is currently studying to earn her real estate license.

After starting out as a part-time employee last fall, Suzie Yardy has joined the staff on a full-time basis as a graphic artist. She designs pages and handles placement of all the news copy and also is responsible for photo editing. As a result of her full-time status, she's now taken on the duties of designing ads.

Also a graduate of Asbury College, Yardy earned her degree in art and is an accomplished sculptor. She has had exhibits in Florida and Kentucky including a recent show at the MetroLex Art Gallery in Lexington.

Sentinel-News promotes four of its employees

Four employees of the Shelbyville Sentinel-News have been promoted.

Sharon Warner was promoted to senior news graphics designer. She came to the newspaper shortly after graduating from Shelby County High School in 1972. She also writes a weekly column and regularly covers news events for the paper.

As senior news graphics designer, she will be responsible for designing most of the newspaper's pages and its special sections.

Cathy Jones was promoted to senior staff writer. She joined the paper's staff four years ago after working for the Voice Newspapers and The Courier-Journal Neighborhoods. She was also assistant news editor for the national Presbyterian Church (U.S.A.) monthly publication.

As senior staff writer, Jones will become more involved with story selection and editing.

Brett Hurst has been promoted to senior ad graphics designer. He joined the paper's staff last May and is a graduate of the University of Kentucky. His promotion will allow him to become more involved with the design of special sections and promotions.

Vicky Schreiner was promoted to senior advertising salesperson.

After graduating from the University of Kansas with a degree in journalism, Schreiner owned a weekly newspaper in Kansas with her husband Bruce. They turned it into an award-winning paper before moving to Kentucky in 1989

when Schreiner joined the Shelbyville staff as a reporter. Before switching to the ad department in 1992, she had advanced to senior staff writer.

Paxton nominated for SNPA board

A Kentuckian is among the nominees for seats on the Southern Newspaper Publishers Association board of directors and another Kentuckian's term on the board will expire this year.

Fred Paxton, president of Paxton Media Group, Paducah, has been nominated to represent Kentucky on the 18-member board of directors. Mary Schurz, editor and publisher of the Danville Advocate-Messenger, has served as a SNPA director and her term will expire at the 1998 convention in November. The nominations will be placed before the membership during the annual convention Nov. 15-18 at Boca Raton, Fla.

Simpson leaving Campbellsville paper

Rochelle Simpson has accepted a position at The Daily Journal in Kankakee, Ill., south of Chicago, after six-and-a-half years at the Central Kentucky News-Journal, Campbellsville. The Daily Journal has a circulation of 26,000 daily and 31,000 on Sundays.

Simpson came to the Campbellsville paper after graduating from Eastern Illinois University.

Rogers named sports editor at Cadiz Record

Brian Rogers has joined the staff of The Cadiz Record as sports editor.

Rogers grew up in Hopkinsville and his parents now reside in Cadiz. He is a graduate of the University of Kentucky.

McCarty, Wolf rejoin staff at Spencer Magnet

Ethel McCarty has joined the staff of The Spencer Magnet as the office/editorial assistant. She was an assistant for 25 years to the former owners of the paper, Dolly and Claude Brock.

In her new job, McCarty will have various duties from taking information for ads, designing ads and typesetting editorial information.

Mandy Wolf has also joined the staff of the newspaper. She interned at the paper in 1996 while attending Murray State University. She will split her time between Taylorsville paper and The Pioneer News in Shepherdsville.

Wolf credits a high school journalism teacher with encouraging her in the field. She enjoys design work and spends most her time at the Magnet paginating the paper.

Use these tips to avoid perils of hoax web sites

BY JAMES DERK
Computing editor
Evansville (Ind.) Courier

During the 1996 Presidential election, a Bob Dole campaign site on the World Wide Web received more than 20 million "hits" by Internet browsers from all over the world.

They could read campaign materials, see photos of the candidate and read his platform easily by heading over to www.dole96.org. Trouble was, all of the content was made up. Dole's official site was www.dole96.com — he had nothing to do with the other one.

No one knows if anyone believed what they might have seen on the other site but it remains a shining example of the trouble of certifying and verifying information one finds on the Web. Because there are few rules about setting up "domain names" (unless they contain a trademark) there is a bustling business in domain registration and not all of them go to

the people or companies you might think.

When the makers of the movie Evita went to make a Web site to promote the film, they found www.evita.com already taken by an entrepreneur hoping to resell it. The movie company opted for www.evita-themovie.com instead. Same thing with the blockbuster Titanic; Paramount had to settle for www.titanicmovie.com because titanic.com was already gone.

Monica Lewinski.com

Within hours of the first reports of President Clinton's "intern trouble," the sites monica-lewinsky.com, monicalewinski.com and nearly every other variant of the young woman's name were registered by "cyber-squatters" hoping to make some quick cash. The site www.lewinsky.com is for sale for \$1.5 million or best offer" according to its owner.

Journalism schools all over

See HOAX, page 12

Look No More!



The 1999 KPA Yearbook & Directory!

The best way to put your message in front of people is to advertise in KPA's Yearbook and Directory. Hundreds of people check it out every year!

The annual KPA Yearbook and Newspaper Directory contains detailed information on all KPA member newspapers, from the largest to the smallest. Advertisers all over the country, including more than 175 agencies, consult the directory regularly. Your ad, promoting your newspaper and services, will be read by the people who make major buys. An ad will help you gain visibility in Kentucky and throughout the United States.

Advertise in the Kentucky Press Association Yearbook & Newspaper Directory ... and for only a few dollars more, put your name in front of millions of people that browse the World Wide Web daily! Your ad will be placed on KPA's web site for just \$50 more.

For more information, contact:
KPA Controller Bonnie Howard
1-800-264-5721

E-commerce

Continued from page 10

laminated for people who want to hang it in their den. You may be surprised at how many you sell. (At least one company handles all the details, even fulfillment.) It's a great promotional tool; it's profitable, and you can offer it both online and in print. Some papers even donate laminated special-event front pages to charity events or auctions. (The Tiger Woods example, incidentally, is the real one.)

• **Unique products:** One media e-commerce site sells fancy peanut products. Another sells pecans. A radio-station's advertiser offers Harley Davidson sunglasses. The list goes on and on.

As one Internet-services manager put it, "If it's going to generate a dollar, that's what I want."

• **Subscriptions and classified ads:** What does it cost to sell a subscription renewal, or take a classified ad by phone? Study

online costs; you'll find that both are **much** less expensive on the Web. And they're one more way to serve your readers or advertisers.

Electronic commerce is not a fad. It's not something for everyone else to do. It's not an experiment, or a pain-in-the-neck (well, maybe ...), or a toy. It is a fundamental shift that is slowly changing consumer habits and shopping patterns. As today's 10-year-olds grow up, it will become a profound shift. It won't close all the malls and local merchants, but it will affect them — some positively, some negatively.

Your paper should learn as much as you can about it. And the best way to learn is by doing. You'll even make a few bucks while you take E-Commerce 101.

© 1998, Peter M. Zollman. Zollman (pzollman@aol.com) is a consultant in interactive media who focuses on profitability. His services include strategic planning, sales development and training, Web site analysis, and support for online classifieds and electronic commerce. He can be reached at (407) 788-2780.)

Hoax

Continued from page 11

the world now are teaching students about the "Salinger Effect," that is, don't believe everything you read on the Internet just because it's there. Some information is presented in a very professional manner on the Web and it can take a while to recognize a joke.

For example, the slick site put up by "Dream Technologies International" at www.db.net/dti will even take online orders for your human clone and offer testimonials, research papers and photos.

Domain Spoofing

The problem of "domain spoofing," that is, getting an address very close to someone else's, is another troubling issue for journalists on a deadline. Some sites have been set up to capitalize on misspellings of heavily trafficked sites like microsoft.com and netscape.com. They hope to snag some of the visitors drawn to the other site.

For instance, the site at www.altavista.com links to the powerful Digital search engine at altavista.digital.com but has no connection with the real AltaVista search engine site at all. We've all seen Bill Clinton's official site at www.whitehouse.gov where daily press briefings, White House photos, press releases and other information is archived.

But get in a hurry and type www.whitehouse.net and you get an exact replica of the real site, except all of the information is made up. The sites are identical, right down to the typeface and background colors. Once in a while the photos of Bill and Al are replaced with illustrations of Beavis and Butthead.

Worse yet, type [house.com and you get a porno site. \(You also get the porn site if you just type "whitehouse" into the search feature of Microsoft Internet Explorer or Netscape Navigator ... the suffix ".com" is always searched first.\)](http://www.white-</p></div>
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So what's a journalist to do?

How to Check It Out

If you plan to use material you gleaned from the Internet, it make sense to see whose information it is and where it comes from.

In some cases it's pretty obvious. A URL like www.boeing.com probably belongs to the jet-maker but it is far better to be sure.

But how to do that? The best way is to head to the "Who's" database maintained at Internic, the administrative agency that oversees many of the functions of the Web and maintains a database of domain ownership information.

Go to <http://rs.internic.net/cgi-bin/whois>. Enter your information. For our example, who owns boeing.com?

You are told: The Boeing Company, Seattle, WA 98124-2499. Plus you are given the phone number and e-mail address of the people who run the Web site and the addresses of their main servers.

For whitehouse.gov you'll find the owner is: Executive Office of the President USA. Good enough for me. Enter whitehouse.net and find it is owned by an Internet access company in Virginia.

It isn't at all time-consuming to check who owns a site, either. Make the Internic site a Netscape bookmark or Internet Explorer "favorite" and you can click right to it before you run any information.

Five seconds of checking can save you years of embarrassment.

(Reprinted from the N.Y. Press Association bulletin.)

Sessions

Continued from page 3

ter what the circumstances. "Sure, maybe some of the folks were too loose-lipped — but did it help the community's awareness," asked one reporter. Moreover, it was suggested, Hines might have avoided the gag rule opprobrium by calling the errant lawyer into his chambers for a tongue-lash warning.

Events a month later suggest this might not have helped. With the Carneal boys' trial still not begun, the lawyer for the uneasy parents made more front-page news. He filed a motion asking that the judge's "gag order" be stricken, as something blocking the parents' right to speak out.

Still, what happened at the Kenlake meeting played a quieting role. At least in The Courier-Journal, says Judge Hines. Knowledge of the conversations solidified the inquiry directed to the judge by the writer assigned to write an editorial on the issue.

The resultant editorial, while still critical of Hines for having "gone too far" with his gag order, nevertheless was sympathetic with the judge's concern over the lawyer who was "spouting off."

In letting it appear that the judge's order applied to the complaining parents of the slain youngsters, the editorial said, there was implied muzzling of the parents' "every right to say what they have to say, loudly and publicly."

Yet the editorial began with a recognition that "as much as this newspaper favors the free flow of information... we recognize that so-called gag-orders are sometimes needed in criminal cases... in rare instances pre-trial publicity may endanger" defendants' right to a fair trial.

The editorial quite reasonably hoped that Judge Hines would rescind his gag order "or at least make it clear that it does not apply to the families of the victims."

There is general agreement among those involved that the give-and-take atmosphere at the Kenlake meeting that accompanied the Hines explanation of his gag-order intentions paved the way for at least one more-responsive news reaction.

Indeed, as discussions continued at the Kenlake session, there was some other consolation for Judge Hines and his colleagues. Several of the journalists acknowledged the perennial challenge of composing headlines or news report lead-ins that are fair while still attracting wanted attention.

There was general recognition of the reporter training problem when it comes to covering the courts. "Too many reporters know zilch at the start of an assignment to cover the courts," one of the Western Kentucky editors said. Another said, "Often, underprepared reporters are

scared to look dumb."

Most of the attending judges agreed with the media suggestions that there be more opportunity for rookie reporters to spend time at the invitation of the judges, observing court procedures and getting oriented to trial nuances. There was some mention that, in the wake of a November 1996 Shakertown meeting in this get-acquainted project, Chief Justice Stephens had made judge teams available to address journalism students, while The Courier-Journal has instituted meetings of district judges with its staffers.

"Judges who are persistently tight-lipped, who won't help a reporter with guidance on a complicated ruling, do the most to perpetuate the bad stereotypes," a Paducah reporter said.

In general agreement, one of the judges said, "As elected officials, we yearn to be put in a favorable light by the media... so it's really hurtful when a reporter created an unfair perception not in line with the facts." She got applause when she added, "After all...we are bound by the rules. You in the media have fewer guidelines, so you can violate more easily."

Several of the news people responded with mention of written internal guidelines or stylebooks, together with the challenge of libel laws. In the end, several said, newspapers and broadcast newscasts face the need at the community level "to answer to our neighbors for what we do." The heightened competitive nature of journalism today and its intensified pressure on guideline compliance was left for another time.

But affirmative nods came from all hands to the comment that "both our professions are judged by the lowest common denominator...so we must do a better job of policing our bad apples."

In the end, the Press Association's Thompson was joined by lawyer Greene in saying that in terms of pursuing improved communication, Kentucky media, bench and bar "have the edge" on parallel groups in North Carolina, South Carolina and Virginia.

There was widespread approval from the conferees to endorse the plan by the Office of the Courts, U of L's Civic Leadership Center and the Press Association to conduct such seminars in Kentucky's other judicial regions.

"Communicate! Break down the barriers!" said publisher Chip Hutcheson of the Princeton Times Leader.

(The writer, Robert Schulman, is executive director of the Center for Humanity and Civil Leadership at the University of Louisville College of Arts and Sciences. He is the retired media critic of The Courier-Journal and Louisville Times. He moderated the Kenlake session described in this article. The next session has been scheduled for Nov. 19 at Rough River State Park in Grayson County.)